



JOURNALS  
of the  
HOUSE OF BURGESSES  
of Virginia

1712-1714, 1715, 1718

1720-1722, 1723-1726



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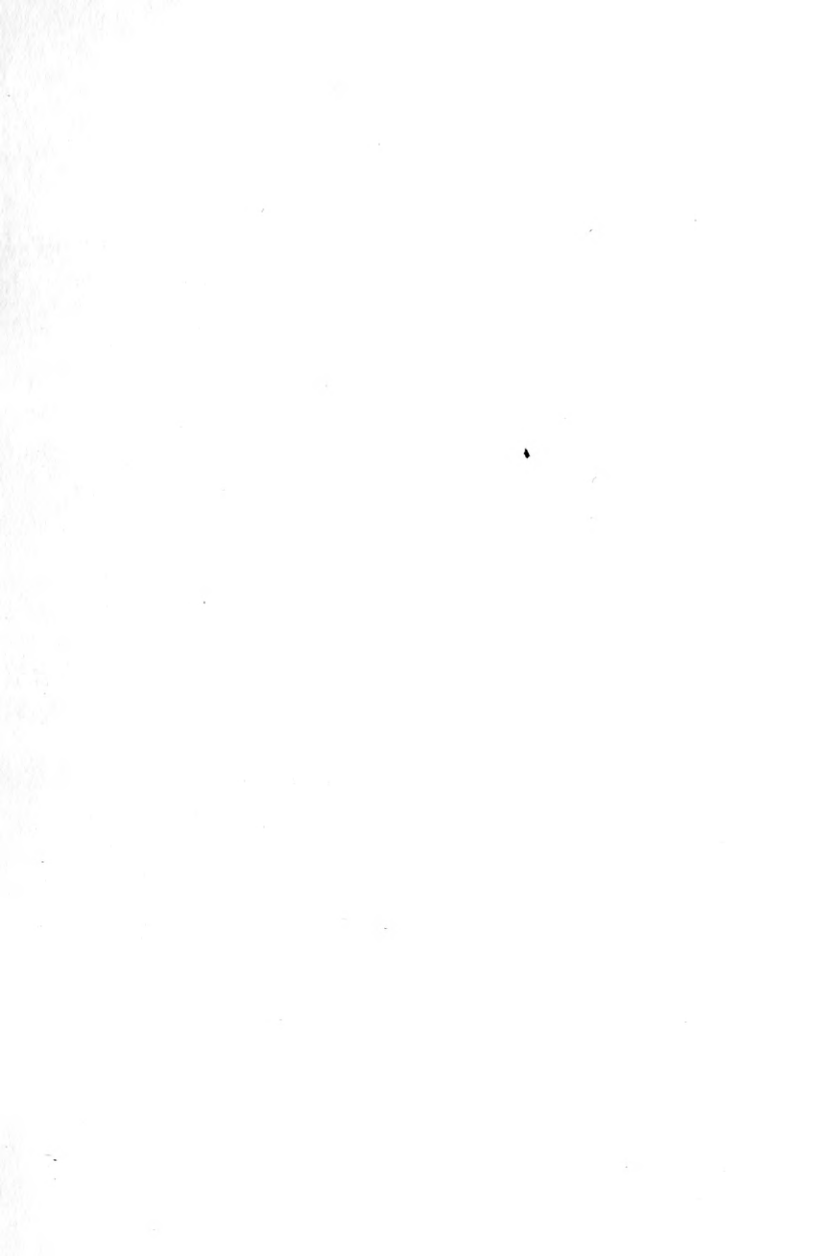


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# The House of Burgeses of Virginia



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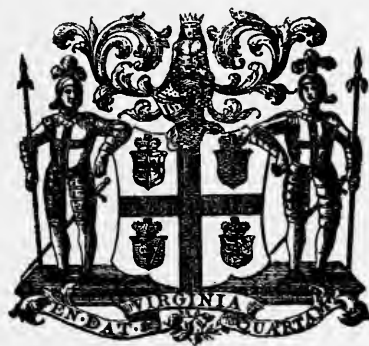
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No. 29

JOURNALS  
of the  
HOUSE *of* BURGESSES  
of  
VIRGINIA

1712-1714, 1715, 1718  
1720-1722, 1723-1726

*Edited by*  
H. R. McILWAINE



*RICHMOND, Virginia*

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# Burgeffes for the Affembly

of 1712-1714.

Accomack:	Tully Robinfon	New Kent:	Nicholas Meriwether
	Richard Drummond		John Stanup
Charles City:	Samuel Harwood	Norfolk:	George Newton
	Littlebury Epes		Wm. Crawford
Elizabeth City:	Wm. Armiftead	Northampton:	Wm. Waters
	Nicholas Curle <sup>1</sup>		Chas. Floyd
Effex:	Francis Gouldman	Northumberland:	Richard Neal
	Francis Meriwether <sup>2</sup>		Christopher Neal
Gloucefter:	Peter Beverley	Princefs Anne:	Maximilian Boufh
	Mordicai Cook		Thomas Walk
Henrico:	John Bolling	Prince George:	Edward Goodridge
	Francis Epes, Jr.		John Hamblin
Ifle of Wight:	Jofeph Godwin	Richmond:	Wm. Robinfon
	Wm. Bridger		Wm. Thornton
James City:	George Marable	Stafford:	John Waugh
	Henry Soane, Jr.		Henry Fitzhugh
James City (town):	Edward Jacquelin	Surry:	John Simons
King and Queen:	John Holloway		Wm. Grey, Jr.
	Wm. Bird	Warwick:	Wm. Harwood
King William:	Henry Fox <sup>3</sup>		Wm. Cary <sup>4</sup>
	John Waller	Westmoreland:	Willoughby Allerton
Lancafter:	Wm. Ball		George Eskridge
	Edwin Conway	York:	Wm. Buckner
Middlefex:	Chriftopher Robinfon		Wm. Barber
	John Robinfon		
Nanfermond:	Thomas Godwin		
	Wm. Wright		

<sup>1</sup> Nicholas Curle died fome time before the opening of the third feffion (77), and was fucceeded by Robert Armiftead (*Stanard's "Colonial Virginia Register,"* p. 100).

<sup>2</sup> Francis Meriwether died before the opening of the fecond feffion (45), and was fucceeded by John Hawkins (97).

<sup>3</sup> Henry Fox died fome time before the opening of the third feffion (77), and was fucceeded by Orlando Jones (92).

<sup>4</sup> William Cary died before the opening of the fecond feffion (77), and was fucceeded by Miles Wills (*Stanard's "Colonial Virginia Register,"* p. 100).

# Burgeffes for the Affembly of 1715.

Accomack:	Tully Robinfon	New Kent:	Nicholas Meriwether
	Richard Drumond		John Stanop
Charles City:	Joseph Harwood	Norfolk:	Wm. Langley <sup>1</sup>
	Valentine Minge		Wm. Crafford
Elizabeth City:	Wm. Armistead	Northampton:	John Harmanfon
	Henry Jenkins		Charles Floyd
Effex:	John Hawkins	Northumberland:	Peter Prefley
	Wm. Young		Chriftopher Neal
Gloucefter:	John Buckner	Princcfs Anne:	Maximilian Boufh
	Thomas Buckner		Horatio Woodhoufe
Henrico:	Richard Cocke	Prince George:	Edward Goodrich
	Wm. Randolph		Robert Hall
Ifle of Wight:	Arthur Smith	Richmond:	William Woodbridge
	Anthony Holliday		Thomas Griffin
James City:	George Marable	Stafford:	George Mafon
	Wm. Broadnax		George Anderfon
James Town:	John Clayton	Surry:	Henry Harrifon
King & Queen:	William Bird		Samuel Thompfon
	Gawin Corbin	Warwick:	William Cole
King William:	Orlando Jones		Cole Diggs
	Thomas Johnfon	Westmoreland:	Henry Afhton
Lancafter:	Edwin Conway		Daniel McCarty
	James Ball	York:	James Burwell
Middlefex:	Edward Hamerton		William Barbar
	William Blackburn	William & Mary	
Nanfemond:	John Lear	College:	Peter Beverley <sup>2</sup>
	James Reddicke		

<sup>1</sup> This name is given on the authority of *Stanard's "Colonial Virginia Register,"* p. 101.

<sup>2</sup> Ten days after the opening of the feffion, however, it was decided that William and Mary College, not having yet been turned over by the trustees to the prefident and mafters, was not entitled to representation. Mr. Beverley, therefore, had to retire from the Houfe.

# Burgeffes for the Affembly

of 1718.

Accomack:	Tully Robinfon	New Kent:	Nicholas Merrywether
	Solomon Ewele		John Stanup
Charles City:	John Stith	Norfolk:	William Crafford
	Francis Hardyman		Willis Wilfon
Elizabeth City	Henry Jenkins	Northampton:	Wm. Waters
	Thomas Wyth		Chas. Floyd
Effex:	John Hawkins	Northumberland:	Peter Prefley
	Wm. Daingerfield		Chriftopher Neal
Gloucefter:	Henry Willis	Princefs Anne:	Maximilian Boufh
	Thomas Buckner		Horatio Woodhoufe
Henrico:	Wm. Randolph	Prince George:	Edward Goodrich
	John Bolling		Robert Hall
Ifle of Wight:	Wm. Bridger	Richmond:	William Woodbridge
	Arthur Smith		Thomas Griffin
James City:	Wm. Broadnax	Stafford:	George Mafon
	George Marrable		George Fitzhugh
James Town:	Archibald Blair	Surry:	Henry Harrifon
King & Queen:	John Baylor		Samuel Thompfon
	George Braxton	Warwick:	William Cole
King William:	Thomas Johnfon		Cole Diggs
	Orlando Jones	Westmoreland:	Daniel McCarty
Lancafter:	Edwin Conway		George Efcridge
	James Ball	York:	Wm. Barbar
Middlefex:	Gawin Corbin		James Burwells
	John Grymes	William & Mary	
Nanfemond	John Lear	College:	John Cuftis
	James Reddick		

1, 2, 3, 4 The names given for Gloucefter, Henrico, Prince George, and Stafford are taken from Stanard's "Colonial Virginia Register," pp. 101, 102.

5 James Burwell died before the opening of the fecond feffion (p. 221), and was fucceeded by Lawrence Smith (p. 232).

# Burgeffes for the Affembly

of 1720-1722.

Accomack:	John Teackle <sup>1</sup>	Nanfemond:	John Lear
	Solomon Ewel		James Reddick
Charles City:	John Stith	New Kent: <sup>2</sup>	Nicholas Meriwether
	Samuel Harwood, Jr.		John Stanup
Elizabeth City:	James Rickets	Norfolk:	Willis Wilfon
	Anthony Armistead <sup>3</sup>		Wm. Crafford
Effex:	John Hawkins	Northampton:	Wm. Waters <sup>4</sup>
	Richard Covington		George Hermanfon
Gloucefter:	Henry Willis	Northumberland:	Peter Prefly
	Nathaniel Burwell <sup>5</sup>		Peter Hack
Hanover: <sup>6</sup>	Nicholas Meriwether	Princefs Anne:	Maximilian Boufh
	John Syme		Anthony Walke
Henrico:	Wm. Randolph	Prince George:	Edward Goodrich <sup>7</sup>
	Thomas Randolph		Robert Mumford
Ifle of Wight:	Wm. Bridger	Richmond:	Wm. Woodbridge
	Arthur Smith		Charles Barber <sup>8</sup>
James City:	Archibald Blair	Stafford:	George Mafon
	John Clayton		Wm. Robinfon
James Town:	William Broadnax	Surry:	Henry Harrifon
King & Queen:	George Braxton		John Simmons
	Robert Beverley <sup>9</sup>	Warwick:	Wm. Cole
King George: <sup>10</sup>	Nicholas Smith		James Rofcow <sup>11</sup>
	Wm. Thornton	Westmoreland:	George Eskridge
King William:	John Waller		Thomas Lee <sup>12</sup>
	Thomas Johnfon	York:	John Holloway
Lancafter:	Wm. Ball		Lawrence Smith
	James Ball	William & Mary	
Middlefex:	John Grymes	College:	Thomas Jones
	Gawin Corbin		

1 John Teackle, dying before the opening of the fecond feffion (321), was fucceeded by Tully Robinfon (*Stanard's* "Colonial Virginia Register," p. 104).

2 Anthony Armistead, on conteft, was declared not duly elected (270), but at a fecond election he was again returned, this time taking his feat (287).

3 Nathaniel Burwell died before the opening of the fecond feffion (321). He was fucceeded by Giles Cook (342). The name is given on p. 342 as "Cock," but fhould be Cook (fee pp. 343, 346).

4 Hanover county was eftablifhed by an act paffed at the firft feffion of this Affembly. Reprefentatives from the county appeared at the fecond feffion.

5 Robert Beverley died before the opening of the fecond feffion (321), being fucceeded by Richard Johnfon (342).

6 King George county was erected by a law paffed at the firft feffion of this Affembly, its reprefentatives appearing for the firft time at the fecond feffion.

7 During the firft feffion of the Affembly New Kent was reprefented by the gentlemen whole names appear in the lift given above. John Stanup (Stanhope) died before the opening of the fecond feffion, and Nicholas Meriwether had been elected a member of the Houfe for the new county of Hanover, which had been formed from New Kent. It was therefore neceffary to order a new election in New Kent. This refulted in the return of John Thornton and Thomas Maffey (342).

8 William Waters, dying before the opening of the fecond feffion (321), was fucceeded by Thomas Harmanfon (342).

9 Edward Goodrich died before taking his feat as a member (253). He was fucceeded by John Hamlin (269).

10 This name is given on page 258 as "Carles Barker." That it fhould be Charles Barber is apparent, however, from page 261 and following pages.

11 James Rofcow took the place of Cole Diggs, who after his election as a member for this Affembly was appointed one of the Council (257). Mr. Rofcow died before the opening of the fecond feffion (321), and was fucceeded by Nathaniel Hoggard (342).

12 Thomas Lee, on conteft, was defeated, Mr. Daniel McCarty being declared by the Houfe to have been elected (294-5).

# Burgeſſes for the Aſſembly

of 1723-1726.

Accomack:	Tully Robinſon <sup>1</sup>	Nanſemond:	Thomas Godwin
	Edmund Scarburgh		Henry Baker
Charles City:	Samuel Harwood	New Kent:	John Thorton
	John Stith		Thomas Maffie
Elizabeth City:	James Ricketts <sup>2</sup>	Norfolk:	Wm. Crafford
	Thomas Wythe		George Newton
Effex:	Robt. Jones	Northampton:	George Harmanſon
	Wm. Dangerfield		Thomas Harmanſon <sup>4</sup>
Glouceſter:	Giles Cook	Northumberland:	Peter Prefley
	Henry Willis		George Ball
Hanover:	Nicholas Merriwether	Princeſs Anne:	Henry Spratt
	Richard Harris		Maximilian Boufh
Henrico:	Wm. Randolph	Prince George:	Robert Bolling
	John Bolling		John Poythres
Iſle of Wight:	Henry Applewhaite	Richmond:	Charles Barber
	Joſeph Godwin		Thomas Griffin
James City:	Archibald Blair	Spotſylvania:	Larkin Chew
	John Clayton		Francis Thorton
James Town:	Wm. Broadnax	Stafford:	George Maſon
King & Queen:	Richard Johnſon		William Robinſon
	George Braxton	Surry:	Wm. Gray
King George:	Nicholas Smith		Henry Harriſon
	William Thornton	Warwick:	William Cole
King William:	Wm. Aylett		William Roſcow
	John Childs <sup>3</sup>	Weſtmoreland:	George Eſcridge
Lancaſter:	Edwin Conway		Daniel McCarty <sup>5</sup>
	Wm. Ball	York:	Lawrence Smith
Middleſex:	Mathew Kemp		Edward Tabb
	Edwin Thacker	Williamſburg:	John Holloway

<sup>1</sup> Tully Robinſon died before the opening of the ſecond ſeſſion (401), and was ſucceeded by Henry Scarburgh (*Stanard's "Colonial Virginia Register,"* p. 105).

<sup>2</sup> James Ricketts died before the opening of the ſecond ſeſſion (401), and was ſucceeded by Robert Armistead (*Stanard's "Colonial Virginia Register,"* p. 106).

<sup>3</sup> John Childs died before he took his ſeat as a member (362). He was ſucceeded by Philip Whitehead (379; *Stanard's "Colonial Virginia Register,"* p. 106).

<sup>4</sup> Thomas Harmanſon, dying before the opening of the ſecond ſeſſion (401), was ſucceeded by Thomas Marſhall (*Stanard's "Colonial Virginia Register,"* p. 106).

<sup>5</sup> Daniel McCarty died before the opening of the ſecond ſeſſion (401). He was ſucceeded by Thomas Lee (p. 421; *Stanard's "Colonial Virginia Register,"* p. 106).





## Introductory Note.

IN this volume are found the Journals of the House of Burgesses for the Assembly of 1712-14 (three sessions), of 1715 (one session), of 1718 (two sessions), of 1720-22 (two sessions), and of 1723-26 (two sessions)—ten sessions altogether. The text of all the Journals has been obtained from transcripts of the manuscript copies in the *English* Public Record Office, *London*, there being, so far as have come to light, no originals or copies in *America*. None of the Journals contained in this volume has ever been printed before, the present edition of the Journals of the House of Burgesses becoming, accordingly, a first edition throughout, as it will continue to be for all the Journals to be printed back to the year 1680. The volume of the series immediately preceding this one (containing the Journals for the sessions held from 1727 to 1740), was, as was stated in the "Introductory Note" prefixed to the volume, partly a first and partly a second edition, since the contemporary printing of the Journals was begun only in 1732.

While the earlier of the original printed volumes have been followed in the general style of printing, it has been found necessary, in the effort to reproduce the manuscripts as exactly as possible, to make use of many abbreviations, some of which are indicated by characters not found in former volumes. These characters are:

̄,	indicating ti;	men̄con	stands for mentioned.
ϕ,	"	lemen;	gent̄ stands for gentlemen.
̄m,	"	mm;	sum̄on stands for summon.
̄p,	"	pre;	̄vent stands for prevent.
q̄,	"	que;	annoq̄, stands for annoque.





# Preface.

## Historical Setting.

THE period 1712-26 embraces the later years of the reign of Queen Anne and practically the whole of the reign of George I. The beginning of the period is signalized by the signing of the treaty of *Utrecht* (1713), at the close of a series of secret negotiations between *France* and *England* highly dishonorable to the latter on account of her desertion of the allies with whom she had fought one of the great wars of history—the war of the *Spanish* Succession—in which the great *Marlborough* had won his glory, and to bring an end to which it was necessary for the Tory ministry, which had the support of the House of Commons and of Queen Anne, to overcome the Whig majority in the House of Lords by the creation of twelve Tory peers (1712), upon which followed the dismissal of *Marlborough* from his command, his condemnation by the House of Commons as guilty of peculation, and his temporary withdrawal from *England*. With the triumph of the Tory party in this great struggle the feat of power in *English* governmental matters was marked as being in the House of Commons, where it has since remained.

The terms of the treaty of *Utrecht* (or, to be more accurate, the two treaties, for separate treaties were signed with *France* and *Spain*, the treaty with the latter being known as the *Affiento Treaty*) were highly favorable to *England*. She kept possession of *Minorca* and *Gibraltar*, *Hudson's Bay Territory*, *Acadia*, *Newfoundland*, and the *French* part of *Saint Christopher*. In addition, she secured the dismantling of *Dunkirk*, the recognition by *Louis XIV* of the right of Anne to the throne of *England*, with his recognition of the Protestant succession, and, what was considered of prime importance, the monopoly of the *Spanish-American* slave trade for thirty years and the right to send each year to the fairs of *Porto Bello* and *Vera Cruz* one ship of 500 tons laden with manufactured goods. These privileges were handed over by the *English* government to the *Royal African Company* and the *South Sea Company*, and there ensued the period of wild speculation, especially in the stock of the *South Sea Company* but also in the stocks of companies formed to conduct all kinds of impossible enterprises, which came to a ruinous close in 1720, the crash bringing about the overthrow of *Stanhope's* dishonored ministry, several of whom had, it was discovered, received bribes from the *South Sea Company*, and the advancement to the head of the government of Sir *Robert Walpole*. *Walpole* had some years before worked his way up to a leading position in the Whig ministry, but had resigned in 1717. Returning to office in 1720 in a minor position, he had been one of the few *Englishmen* to warn his countrymen against the speculative mania at that time at its height, and in consequence he was, when the reaction came, looked to as the only one in public life able to cope with the situation. His genius succeeded in a short time in restoring private confidence and in putting in order the finances of the country, and he became secure in the longest tenure of office enjoyed by any *English* minister since the days of *Elizabeth*, giving the people an administration most beneficial, though his methods were not always praiseworthy nor his character in all things above reproach.

Very soon after the *Affiento Treaty* went into effect, smuggling of both slaves and goods into *Spanish-American* territory began. The *Spanish* government's revenue service used boats called *guarda-costas* which became the object of the hatred of all good *Englishmen*, both in the mother country and in the colonies, and insisted on the right to search all vessels coming close to the shores of the *Spanish* colonies, frequently in practice, indeed, searching, as was claimed by *English* masters of ships, those far beyond the limit of *Spain's* rightful jurisdiction, and being guilty of many acts of cruelty, which were, no doubt, equalled on occasions by the high-handed acts of the smugglers, and fur-

passed by those of the smugglers' brethren the pirates who infested the coasts. This situation was bound in course of time to lead to war between *England* and *Spain*. The war came toward the close of *Walpole's* career as prime minister, *Walpole* being forced into it by the clamors of the *English* people. This war, however, was waged more than a decade after the close of the period now under consideration.

But in this period itself there was a war with *Spain*, brought about by the endeavors of Cardinal *Alberoni*, the *Spanish* minister, to secure again for the *Spanish* crown the *Italian* possessions given up according to the terms of the treaty of *Utrecht*. Bringing *Charles XII* of *Sweden* (enraged at the cession to *Hanover* by the King of *Denmark* of some *Swedish* territory that had been seized when *Charles* was absent in *Turkey*) to promise to make an attack on *Hanover* and to endeavor to restore the *Stuarts* to the throne of *England*, he reduced *Sardinia* and attacked *Sicily*. *England*, *France*, *Holland*, and *Austria* combining against him, however, he was finally compelled to give up the contest, being dismissed from office in 1719. *England's* share in the fighting was had mainly in 1718, when an engagement between the *Spanish* and *English* fleets, which took place in the Straits of *Messina*, resulted in the destruction of the former. *Alberoni's* attempted revenge in the shape of an expedition under the duke of *Ormond* to revive the Jacobite rising in *Scotland* miscarried. In *December*, 1718, the same year in which the fight in the Straits of *Messina* took place, *Charles XII* was killed at the siege of *Fredrickshall* in *Norway*, before he could carry into execution his designs against *Hanover* and *England*. Since in the execution of these designs he had obtained the promise of the help of *Peter* the Great, the bullet that ended his strange career should not be cursed by the *English* people.

The events which occurred in *England* itself in this period, in addition to those already noted, were exciting and most important. The Tory ministry which concluded the treaty of *Utrecht* in 1713 was in power when Queen *Anne* was on her death bed in 1714, and some of its members, notably *Bolingbroke* and *Oxford*, formed the design of securing the succession to the throne to the Old Pretender, as the son of *James II* was called, instead of to *George*, the elector of *Hanover*, to whom it was to go in accordance with the Act of Settlement, and for a time civil war seemed imminent. The bold and decisive action of two Whig lords, however, the dukes of *Argyle* and *Somerset*, in entering the Privy Council, unsummoned, on the news that the queen had been stricken with apoplexy, and securing the nomination of the duke of *Shrewsbury*, a Tory but not a Jacobite, as Lord Treasurer, and his acceptance by the dying queen, to rule *England* till the new king should be proclaimed, secured the throne to *George I*. With *George I* the Whigs, representatives of the principles of the Revolution of 1688, of constitutional liberty, and religious toleration, came into political power, retaining it for many years, the Jacobite plot of the Tory ministry of the last days of Queen *Anne* having loaded that party with a suspicion hard to remove. The inevitable uprising in *Scotland* and the north of *England* in favor of the Old Pretender under the earl of *Mar* and later under the Pretender himself, both incapable leaders, in 1715, the year that *George I* came to *England*, failed dismally, as did the plot in which *Francis Atterbury*, bishop of *Rochester*, seems to have been engaged for the restoration of the *Stuarts* in 1722.

## Assembly of 1712-1714.

### First Session.

OF the Assembly of 1712-1714 there were three sessions, the first lasting from *October 22, 1712*, through *November 29*, the second from *November 5, 1713*, through *December 12*, and the third from *November 16, 1714*, through *December 24*. This was the second Assembly of Lieutenant-Governor *Alexander Spotswood's* administration, the first having been dissolved by *Spotswood* on the 31st of *January 1711* (old style), because of his inability to induce the majority of the members of the House of Burgesses to agree with him as to the method of payment of certain public claims and as to the best policy to adopt with reference to the *Tuscarora* Indians. The public claims were in the main incidental to the great war between *England* and *France* that at the time of the first session of *Spotswood's* second Assembly was happily drawing to a close. The necessity for an Indian policy arose from the fearful massacre in *North Carolina* committed on *Sept. 22, 1711*, by Indians, among whom were many *Tuscaroras*, a powerful tribe of northern origin occupying territory beginning in *Virginia* and extending nearly to the *Neuse* River. Not all their towns, however, had been implicated, at any rate overtly, and the question was whether war should be made on the whole tribe or merely on those guilty of the crime. The House of Burgesses declared itself in favor of war with the whole; *Spotswood* opposed this, since he did not think the Colony strong enough to undertake such an extensive war, and he hoped by means of a treaty entered into with eight towns of the *Tuscaroras* to gain their assistance in punishing those engaged in the massacre. In the interval between the dissolution of the first Assembly (*Jan. 31, 1711-12*) and the first meeting of the second (*Oct. 22, 1712*) much fighting had taken place in *North Carolina*, mainly in the regions lying about the *Pamlico* and *Neuse* rivers, between the neighboring Indians and the colonists, assisted by forces from *South Carolina*, largely made up of friendly Indians. But a truce had now been entered into between the warring parties, so that Governor *Spotswood* in his opening address did not find it necessary to refer at all to affairs in *North Carolina*, but confined himself to the public debts of *Virginia*, stating that it was to discharge these that the Assembly had been called together.

His speech was not only brief and direct, as became the utterances of a soldier, but also even appeared, when all the circumstances are taken into consideration, to have too much of the tone which might be expected to be assumed by a man who after the election of the members of the House to whom he was now addressing himself, but several days before the beginning of the session, had in a letter to the Board of Trade, dated *October 15*, expressed himself in the following uncomplimentary manner in reference to them: "...for the Mob of this Country, having tried their Strength in the late Election and finding themselves able to carry whom they please, have generally chosen representatives of their own Class, who as their principal Recommendation have declared their resolution to raise no Tax on the people, let the occasion be what it will. This is owing to a defect in the Constitution, which allows to everyone, tho' but just out of the Condition of a Serv't, and that can but purchase half an acre of Land, an equal Vote with the Man of the best Estate in the Country." The address drawn up by the Burgesses in reply to the address of the governor was as devoid of complimentary embroidery as was the governor's own. It was even briefer and more direct, consisting of only two short paragraphs, which say that all just debts due from the country should be paid. Their very brevity forces the implication that the House desired the governor to understand that the payment of none others would be for an instant considered. The governor and his Burgesses seemed thus to be pitted against each other as they were in the closing days of the former Assembly. Fortunately,

1 Official Letters of Alexander Spotswood, II, 11, 1, 2.

however, appearances proved rather deceptive. In fact, the governor was learning—though he did not always even after this make use of his knowledge—the management of democratic assemblies, and the members of the House of Burgesses proved themselves to possess far more of that spirit of compromise necessary in all legislative bodies and far greater breadth of view than the governor had in his letter to the Board of Trade assigned them, it being doubtful whether in these qualities many of them did not equal the governor himself. Hence the results of the session were in the main satisfactory to both parties.

At least one thing the governor seems to have learned, which was, that people who had lived long in the Colony, most of them, in fact, having been born there, were as likely as himself, even if not more likely, to have a competent knowledge of the nature of Indians and of the best manner of dealing with them; for it was not very long after he made the treaty with the upper *Tuscaroras* in December, 1711, the provisions of which they neglected from the start, that a delegation came to him from them to repudiate the treaty altogether. Hence at this session he was apparently much more disposed than formerly to advise with the Burgesses as to Indian affairs. This is seen in the message he sent the Burgesses on the first of November asking what they thought ought to be done with certain *Tuscaroras* of the upper towns who had been captured within the bounds of *Virginia* by the tributary Indians and the rangers. After due consideration of the matter in all its phases,<sup>2</sup> the Burgesses advised that the Indians be turned over to the government of *North Carolina*. This transaction was a very unusual one, in that in it the House performed the functions of advisers as a general thing performed only by the Council.

On the day of the opening there were present forty-nine members, only two less than the full membership of the House. At that time there were in *Virginia* only twenty-five counties, represented in the House by two members each, and one town or city (*James City*, now shrunk to a "rotten borough"), represented by one member. Neither *Williamsburg* nor *William* and *Mary* College was yet represented.

Mr *Peter Beverley*, speaker of the former House, was chosen again to the speakership. The clerk of the House, Mr *Robert Buckner*, was appointed by the governor. Another officer at this time appointed by the governor was the messenger, whose duties seem to have corresponded closely with those of the later sergeant-at-arms. In addition to these three officers, the House had at this time four doorkeepers, a clerk to the committee for propositions and grievances (the busiest standing committee of the House), one clerk for the committee of elections and privileges and committee for public claims (the two other standing committees), and a chaplain—all elected by the House.

The chaplain of the House for this session—as for several succeeding sessions—was the Rev. *Benjamin Godwin*, who took the place occupied the preceding session by the Reverend *James Blair*, commissary of the bishop of *London*, member of the governor's Council, and president of *William* and *Mary* College. The change in the chaplaincy was the result of causes arising at the preceding session of the House. The dissatisfaction of the House with their former chaplain is further shown by an attempt made at this session to cut off a part of the pay of Mr *Blair* for alleged failure on his part to attend punctually to his duties the year before. The book of claims, however, in which were set down all the claims which the Assembly agreed to pay, had to be passed by the Council as well as by the House, and the members of the Council stood loyally by their fellow, with the result that his full salary was finally allowed, though not until in a special joint conference held by duly appointed members from each house what were taken to be satisfactory explanations of his failure to read the services on several occasions were made for Mr *Blair*.<sup>3</sup>

The book of claims this session also contained many of the claims which the former House of Burgesses had refused to allow, but three of the claims which the governor and the Council were especially desirous of seeing passed were still rejected. These

<sup>2</sup> See pp. 18, 21, 22, 24.

<sup>3</sup> See p. 36.

were two claims made for the subsistence for forty-three days of the officers and men of a *French* privateer taken by one of the *English* guard ships stationed off the capes at the entrance of the *Cheapeake* Bay and kept in *Virginia* until they could be sent to *England*, and the claim made for reimbursement by the owner of a vessel which in 1711, when a descent upon *Virginia* by a *French* squadron was feared to be imminent, had been fitted out to act as a scout ship. All three claims were considered eminently just by the members of the House, but they persisted in calling the two for subsistence of the *French* prisoners "no country charge," and in demanding that the owner of the scout boat be paid out of "the revenue."<sup>4</sup> By this it was meant that regular prisoners of war taken by regular sailors or soldiers in the service of *England* should be cared for from the fund set aside by the *English* government for that purpose, and that the owner of the vessel should be reimbursed from the special taxes raised in *Virginia* for the purpose of paying the salaries of the colonial officials and all the contingent expenses of government. It was in vain that it was pointed out to them both by the Council and the governor in special written messages that the governor had already without success used his utmost endeavors to prevail on the proper officials in *England* to discharge the subsistence debts, the *English* officials maintaining that it was but right that the colony most benefited by the capture should assume the obligation, as was usual in all such cases. It was also in vain that it was pointed out that "the revenue" had for many years past been so unproductive as to be unable to meet the usual annual expenses of the government, which would be now many thousands of pounds in arrears had no recourse been had in emergencies to other revenues of the crown, that is, the quit rents.<sup>5</sup>

When it came, however, to matters other than the settlement of these claims, the governor was, with one or two exceptions, more successful in impressing his views on the House, as will be seen from an examination of the acts passed. Of these there were seven, of which, unfortunately, only two are given in full in *Hening*. Of the other five, however, one is merely an act for raising the public levy, a second is a private act to enable the owner of certain entailed land to dispose of it, and three others are acts continuing in force (with additions in cases) acts which are printed in *Hening*. And of the additions made to the acts a pretty clear idea may be obtained from the Journal and from *Spotswood's* letter of February 11, 1712-13, to the Board of Trade.<sup>6</sup>

By the first of the acts whose titles are given on page 42 of this volume, namely, "An act for continuing an act entitled an act for security and defence of the country in times of danger," the power was continued to the governor of calling out the militia in case of invasions or insurrections and of impressing supplies,<sup>7</sup> and by the second, namely, "An act to continue an act entitled an act for appointing rangers," the rangers who had been provided for in 1711 were continued in service with increased pay.<sup>8</sup> The third act in the list has the title "An act for continuing an act entitled an act for laying a duty on liquors and slaves and for appropriating the money sufficient to furnish nine hundred yards of duffels and one thousand pounds for the service and relief of *North Carolina* out of the said duty and for appointing a treasurer." Continuing the revenue measure was a matter of evident necessity, but for the passage of the part of this act appropriating money for the aid of *North Carolina* the governor assumed much credit in his letter to the Board of Trade of Feb. 11, 1712-13. The occasion for the appropriation was the renewal of the Indian War in *North Carolina* and the request for aid from *Virginia* made by the General Assembly of that province. In seconding this request *Spotswood* made an earnest appeal. The money was to be expended as the governor thought best.

The "Act to prevent land lapsing from infants for not seating and planting or not paying quit rents until three years after they come of age"<sup>9</sup> had for its object the repeal

<sup>4</sup> See p. 35.

<sup>5</sup> See pp. 33, 41.

<sup>6</sup> Official Letters of Alexander Spotswood, II, 9ff.

<sup>7</sup> *Hening*, IV, 30; III, 362.

<sup>8</sup> *Hening*, IV, 30.

<sup>9</sup> *Hening*, IV, 31, 32.

of the section of the great land law passed in 1710 under *Spotswood's* guidance setting forth how long infant heirs to land which had been duly patented but not seated or planted as required by law, or for which quit rents had not been paid, might retain the land unforfeited. According to the 1710 law, they might retain it for only three years after the death of the patentee. The new law changed the term to three years after the infant, if a male, became of age, or if a female, three years after marriage, it being provided, however, in order to secure the payment of quit rents during the minority of the heir, that the guardian should be required, under penalty, to attend to the payment. *Spotswood* did not like this law, but not only the Burgesses but also the members of the Council were so desirous of its passage that he did not think it politic to withhold his signature. He wrote the Board of Trade that he thought the matter of too small importance to warrant his coming into collision with his Assembly over it, but that it might easily be disallowed by the queen at any time within three years if the Board of Trade thought advisable and no damage would be done. Since, however, the Board of Trade did not think it worth while to intervene, the law remained permanently on the statute books.

The "Act for appointing rolling houses and public landings and ascertaining the prices of storage"<sup>10</sup> was a very important one for the convenience of the trade of the country, continuing such rolling-houses, or warehouses, as were already in existence and conveniently situated with reference to the public landings and empowering the county courts to establish new warehouses and landings where it seemed necessary. The act also fixed the rates of storage. The object of the act was merely to secure at convenient places in the Colony public buildings for the receiving and shipping, and public warehouses for storing, not only tobacco, but also all kinds of merchandise—public, not in the sense that they were owned by the public, but in the sense that they might be used by all on payment of the fixed charges. These warehouses were very different from the later tobacco warehouses to which all tobacco had to be taken for inspection.

The other two laws passed—the one for raising a public levy and the one for permitting the sale of certain entailed land—need no special attention, but there were two bills offered—both of them in the Council and the only two originating in that body—that are of more than usual interest. They were sent to the House by the Council the same day, *Saturday, November 15*, and on *Monday* both were promptly rejected. Their titles were "An act declaring what shall be accounted a sufficient seating and planting of lands hereafter to be taken up and patented" and "An act to prohibit all trade with the *Tuscarora* and other Indians concerned in the late massacre in *North Carolina* and for the better regulating the Indian trade." Of the first of these *Spotswood* was himself the author, as is seen from his letter to the Board of Trade, and it is probable that he was also author of the latter. The eighty-fourth article of *Spotswood's* instructions as governor had to do in general terms with the conditions of granting land, and he had been told to have the substance of the instruction passed by the General Assembly as a law. He had made a step in this direction in securing the land law of 1710 and was now endeavoring to take a second step. His bill was probably the same one which actually passed at the following session, but as yet the House of Burgesses was unprepared for it. The "Act to prohibit all trade with the *Tuscarora* and other Indians concerned in the late massacre in *North Carolina* and for the better regulating the Indian trade" was one to which the House of Burgesses could not possibly have had objections so far as the first part of it—that in relation to the Indians engaged in the *North Carolina* massacre—was concerned, and it is therefore probable that the regulation of all Indian trade was the feature for which they were as yet unprepared. *Spotswood* wished the Indian trade conducted by a chartered company which should have a monopoly. The bill this session thrown out by the House probably embraced this feature, and either the majority of the members of the House of Burgesses at this time opposed the principle or certain of the provisions of the bill were disagreeable. In 1714 a law embodying *Spotswood's* ideas was finally enacted.

<sup>10</sup> Henning, IV, 32-36.

A matter in which Governor *Spotfwood* was for both official and personal reasons peculiarly interested seemed until the very closing days of the session unlikely to be attended to. This was the completion of the governor's house, a building provided for first by law in 1705, when £3,000 was appropriated for its construction, and again in 1710, when a further appropriation of £1,560, with £635 for furniture and for laying out gardens, was made.<sup>11</sup> It was still not ready for occupancy. Despite the governor's message on the subject and the patent desirability of having the work completed, the House of Burgesses, angry that the cost of the structure had not been made to come within the original estimates, refused to act till two days before the close of the session, when, in response to a special message from *Spotfwood* ending with these words, "I hope therefore that you will now for the honor of your country appropriate a further sum for completing that building, and not let it remain thus to all strangers a visible testimony of an imprudent undertaking," the House appointed a committee to wait on the governor to find out what sum he thought necessary for the completion of the building, and resolved, in order to be certain this time of having a sufficiency, to appropriate £300 more than the governor's estimate called for, namely, £900, instead of £600. The next day the Council readily agreed to the resolution.

Taken as a whole, the results of the work of the session were far from being unsatisfactory. The people had secured the passage of at least one law on which they had set their hearts, and the governor, though not able by any means to carry all before him, had accomplished several things which he much desired, and had paved the way for further successes in the two succeeding sessions.

### Second Session.

The second session of this Assembly opened *November* the fifth, 1713, and closed *December* the twelfth. It was the exact antithesis of the second session of *Spotfwood's* first Assembly, in that the feeling of confidence in the governor entertained by the majority of the members of the House of Burgesses which had begun to show itself in the session of the preceding year seemed now almost unbounded. Apparently with little difficulty, the governor succeeded in having all the policies he advocated passed into laws by the House. It seemed only necessary for him to speak and the thing he wished was done. In his opening address, which was far different from the curt speech delivered by him at the opening of the preceding session, being both deferential and detailed, he brought to the attention of the Assembly the matters he deemed of most pressing importance. These were the improving of the tobacco trade and the defense of the frontiers, with the rendering of assistance to *Williamsburg* in various respects an undertaking of subsidiary interest. An examination of the laws passed at this session shows clearly to what a marked degree the House responded to the recommendations of the governor as embraced in this address and in several messages sent the House in the progress of the session. There were twelve such laws, several, however, being private acts, or temporary, or acts of minor consequence. Of the twelve, only five, unfortunately, are given in full in *Hening*,<sup>12</sup> but references in the Journal itself both for this session and succeeding ones and in *Spotfwood's* letters are sufficiently full to make possible a reconstruction of the others.

The first law signed by the governor<sup>13</sup> had the title "An act for preventing frauds in tobacco payments and for the better improving the staple of tobacco." It was a law of the very greatest importance, and for several years to come destined to be the measure above all others causing a division of the inhabitants of the Colony into parties. The law, drafted in the main by the governor himself,<sup>14</sup> provided for the compulsory inspection of *Virginia's* great staple at government warehouses by inspectors (called "agents" in the law) appointed by the governor, and the issuance of tobacco notes which were to circulate just as bank notes. In short, the law was the first form of the great tobacco

<sup>11</sup> Official Letters of Alexander Spotfwood, I, 10, note.

<sup>12</sup> *Hening*, IV, 37-50.

<sup>13</sup> See p. 73.

<sup>14</sup> Official Letters of Alexander Spotfwood, II, 49.



law of *Virginia* the discussion of which and the amendment of which received so much attention from future Assemblies, for though this act was itself repealed by proclamation in 1717, the substance of it was re-enacted early in the administration of Governor *Gooch*. The design of the law was to prevent dishonesty in all tobacco transactions by making it necessary that all tobacco shipped from the country or tendered in payment of debts in the country should equal in quality a certain standard, and to give to the use of tobacco as money a convenience it had never had before by the substitution of certified notes for the bulky article itself. In this way the trade in tobacco would be benefited—and with it the reputation of *Virginia* planters—and the condition of the salaried and wage-earning classes rendered very much improved both on account of the greater value of the tobacco itself (the inferior tobacco, called “trash,” formerly much used in such payments now being unable to pass inspection) and on account of the ease of collecting the notes that stood for the tobacco. *Spotswood* claimed that one of the main good results had in view by him in offering the measure, was the enhancement of the value of the benefices in the country and the consequent assurance of a better supply of clergymen. Another object he had in view, and one which he set forth in his letter to the Board of Trade of *December* 29, 1713, but about which we may be sure he said little in *Virginia*, was to render the members of the House of Burgesses for the future somewhat more dependent on the governor than before, since it would be possible to use the power of appointment to the numerous inspectorships created by the law in such a way as to fill the House with the governor’s adherents. The law was so unusual and so important that it had attached to it a clause that it should not go into effect till the following *December*. This was to give the Board of Trade ample time to consider its provisions.<sup>15</sup>

The next act signed by the governor at this session was entitled “An act for continuing an act for appointing rangers and for increasing their pay, and also to empower the lieutenant governor to disband the rangers and to apply the pay appropriated for them to any other use which he shall think fit for the better security of the frontiers.” The rangers referred to in this law had been appointed first in 1711, and provision for their continuance in the service, with increased pay, had been made in 1712. The present law was the result of the peculiar conditions existing in reference to the Indians in *November* and *December* 1713. *Spotswood* had in his address at the opening of this session (*Nov.* 6) reported that the clothing ordered at the preceding session to be bought for the relief of the people of *North Carolina* had been delivered, but that only a part of the £1000 appropriated for their assistance had been expended. Later (*Dec.* 7), he had sent in to the House an itemized statement, with vouchers, of the account, and a message explaining that the full £1000 had not been expended because, notwithstanding the promise of the Assembly of the province of *North Carolina* to furnish subsistence for any men who might be marched from *Virginia* to the aid of that province, deputies who had met him at *South Quay* to talk over plans for the expedition had assured him that it would be impossible for *North Carolina* to carry out the promise. He had accordingly confined his measures against the *Tuscarora* Indians to the region this side of the *Roanoke* River, where it was in his power to obtain provisions, using in this service chiefly the rangers, whose pay was otherwise provided for, and the tributary Indians, whose services could be secured for small rewards. Hence a little more than £700 of the £1000 still remained in hand. The House promptly sent a message to his honor complimenting him on the manner in which he had conducted the affair, and saying that they had such confidence in the wisdom of his plans for the security of the frontiers that, if he wished, they were willing for him to apply this money in carrying them into effect.<sup>16</sup> These plans had already been given in main outline in his opening address, but the details had of necessity to wait upon the final determination of those *Tuscarora* Indians who before had been at war with the *North Carolinians*. These Indians, having with their Indian allies suffered a severe defeat at the hands of Colonel *Moore* and a force, mostly allied Indians,

<sup>15</sup> Official Letters of Alexander Spotswood, II, 46.

<sup>16</sup> See p. 70.



from *South Carolina*, had retired into *Virginia* to the territory about the headwaters of the *Roanoke River*. *Spotfwood*, failing in his effort to raise a sufficient force to go against them with hopes of success, had determined to make peace, negotiations for which were pending when the session opened.

It was his wish to settle the tributary Indians along the frontiers as a protection to the inhabitants, placing the *Tuscaroras*, if by treaty they should become tributary, on the headwaters of the *Rappahannock*, taking in every case of an Indian settlement the precaution, however, of settling white men among them to observe their movements, and providing for their education and Christianization through the services of teachers and ministers. By the first of *December* the chief men of the *Tuscaroras* had not come in to make the treaty, though the tribe had moved much closer to the frontiers, and *Spotfwood* sent a special message on that day to the House saying that he could not advise that the rangers be disbanded—as it was proposed to have done if the settlements of the Indians could have been made while the Assembly was in session—but that he suggested that in the bill for continuing the rangers, which he now thought should be passed, a clause might be inserted giving him the power to disband the rangers if later he should think it advisable to do so and power to spend the money which would have gone to their support in carrying out the original plan. The next day it was unanimously resolved to act in accordance with the governor's suggestion. The law whose long title has been given was the result.

The third law signed, namely, "An act declaring what shall be accounted a sufficient seating, planting, cultivation and improving of lands already granted or hereafter to be taken up and patented," was also in a sense the governor's measure, though certain of its provisions were clearly inserted to meet the wishes of large landed proprietors in the Colony, of whom there were many representatives both in the Council and in the House. A bill containing many of the same provisions had passed the Council at the preceding session but had been rejected by the House. Now, however, the improved measure was accepted by the House also, it having been explained by the governor that if the bill were not passed he should feel himself bound to a stricter execution of his instructions in the matter dealt with than the bill itself called for. When *Spotfwood* became governor in 1710, the 84th article of his instructions enjoined on him stricter methods of granting land than had formerly been enforced in the Colony, and he had later been directed to have the general provision of the article amplified so as to relate in an equitable manner to the various kinds of land granted—arable, "barren," and marsh—and passed as a law by the General Assembly. A peculiarity of this act was that it had, as did the tobacco act, a provision that it should not go into effect for a year, in order that it might be examined by the home authorities (the Board of Trade and the Privy Council) to see whether it conformed with the intentions of the instruction. The home government having found that it did so conform, the law finally became operative as one of the permanent laws of the Colony.<sup>17</sup>

In the same message in which *Spotfwood* asked that the act just described be passed he also informed the House that he had been instructed by her majesty "to transmit yearly an account of all the births, christenings, and burials within the Colony." He found it impossible to do this, he said, because the majority of parish clerks in the country looked upon the law of 1661 requiring them to keep such registers as obsolete. Hence he asked that a law be passed which would enable him to carry out his instructions. "An act for registering births, christenings, and burials"<sup>18</sup> was the result, requiring that the ministers, or if there were no ministers the clerks, of the various parishes in the Colony keep the records of births, christenings, and burials, of which they were to be duly informed, under penalty, by the persons most nearly interested, and they were to furnish copies of the rolls twice a year to the secretary's office.

<sup>17</sup> This law is given in full in Hening, IV, 37-42, and is explained in the Official Letters of Alexander Spotfwood, II, 46-48.

<sup>18</sup> Hening, IV, 42-45.

The next three acts, the fifth, sixth, and seventh—the sixth and seventh being given in full in *Hening*,<sup>19</sup> and the act of which the fifth was a repetition being given in full<sup>20</sup>—were merely designed to continue in force laws which had been found to be useful. When the sixth and the seventh of these laws, “An act for continuing an act entitled an act for the regulation and settlement of ferries and for dispatch of publick expresses” and “An act for reviving and continuing an act entitled an act prohibiting seamen being harbored or entertained on shore,” first left the House, each had a clause to the effect that it was to be operative for only a certain length of time, but they were amended in the Council so as to be perpetual. This was done in accordance with instructions which had been sent to Governor *Spotswood* that laws which had been found beneficial should when re-enacted be made perpetual. When the instruction was communicated by the Council to the House, that body readily agreed to the Council’s amendment to each bill.<sup>21</sup> The fifth act signed, namely, “An act to continue an act intituled an act for supply of certain defects found in an act prescribing the method for appointing sheriffs” was also a re-enactment of a temporary law found to be beneficial. It was not, however, made perpetual, for the reason that, as *Spotswood* explained in a letter to the Board of Trade dated March 9, 1713-14, it would shortly be entirely unnecessary. The law placed a fine on any person who having been appointed sheriff by the governor refused to act. *Spotswood* explained to the Board of Trade that there would be no motive for such refusals when the effect of the great tobacco law, passed at this session, should be felt in enhancing the value of the commodity in which the fees of the sheriffs were paid.

The eighth act, “An act to restrain the keeping too great a number of horses and mares,” given in full in *Hening*,<sup>22</sup> is sufficiently described in its title, as are also the tenth, the eleventh, and the twelfth, only the titles of which are given. In connection with the eleventh, however, “An act for dividing St. Mary’s Parish,” *Spotswood* makes some interesting observations in his letter of March 9, 1713-14, to the Board of Trade. He says that the preamble of the act differs from the preamble of former similar acts in being so worded as to “set a precedent.” He had formerly pointed out to the Board of Trade how difficult it was to get a parish or county divided by the General Assembly, owing to conflicting interests of the inhabitants and to the frequency with which a choice of the representative for a county depended on the attitude of candidates toward a question of this character rather than on his general fitness for the position.<sup>23</sup> He thought he had the power according to his instructions to settle such questions himself, but since his predecessors, with the same instructions, had always allowed the Assemblies to take control, he asked for special directions in the premises. These had not come. Hence his allowance of the act this session.

The ninth act signed arose out of *Spotswood*’s recommendations in reference to *Williamsburg*. Its object was merely to put into the hands of an energetic committee for expenditure on necessary improvements on the capitol at *Williamsburg* and in resurveying the streets the money so far collected by the trustees of the town. The law making provision for the building of the capitol and the laying out of the city of *Williamsburg* had been first passed in 1679, and continued, with additions, in 1705. It was evidently now felt that better results could be secured by the appointment of a small committee than had been obtained by the larger body of directors named in the law of 1705. This committee was now empowered first to make the necessary repairs on the capitol, and then to have the streets of the city resurveyed if the money received from the trustees and others proved sufficient. The other improvements suggested by the governor were not authorized.<sup>24</sup> This committee was, however, further authorized to audit the accounts of the expenditures necessary to be made on the

<sup>19</sup> *Hening*, IV, 45, 46.

<sup>20</sup> *Hening*, III, 498.

<sup>21</sup> See p. 58.

<sup>22</sup> *Hening*, IV, 46-49.

<sup>23</sup> Official Letters of Alexander Spotswood, I, 20.

<sup>24</sup> See p. 60.

governor's house for its completion. The £900 appropriated by the Assembly at their former meeting for this object had proved inadequate, and accordingly the governor had been authorized by resolution of the House agreed to on *Dec. 9* to take the construction of the building under his own supervision. Nothing was said as to the amount which might still be expended, but no doubt it was supposed that it would be considerable.

### Third Session.

The third session of the Assembly began the 16th of *November* and ended the 24th of *December*, 1714. A new sovereign, *George I*, had now been proclaimed king, and this necessitated the taking a second time by the Burgesses the customary oaths of office. It also had the effect of bringing automatically to an end the life of the present General Assembly on the 16th of *May*, 1715, since a special colonial law in reference to the continuance of the General Assembly which might be in existence at the death of Queen *Anne* provided that unless sooner dissolved by the governor it might remain in being for six months, but no longer, after the beginning of any session it might hold in the new reign.<sup>25</sup> *Spotswood* clung to the present Assembly as long as possible, and no doubt issued writs for the election of new members of the House of Burgesses with reluctance, for the members of the House at the present session were almost as tractable, even if not altogether so, as they were the preceding session, while there were already symptoms among the people at large of opposition to certain measures of which *Spotswood* was the unyielding advocate, and there was no telling how much weight this opposition might have in the new elections.

In his opening address the governor reported that affairs on the frontiers were in a much more satisfactory condition than they had been in at the opening of the preceding session, good progress having been made in the execution of his cherished plans, and the cost of guarding the frontiers by means of the "settlements" he had made being far less than the cost of the rangers. He had nothing to say, indeed, in reference to the *Tuscarora* Indians, for these had finally failed him, but the place which he had designed for them had been taken by certain *German* refugees who had opportunely arrived in the country. These he had settled on the *Rappahannock* some miles beyond the frontiers as they then were, and he recommended them to the benevolence of the Assembly. He had commenced, too, the settlement of the tributary Indians, having settled a few white men with them to "observe their actions," but hoped that in course of time this guard might be withdrawn. He advised that the trade with these Indians as well as with foreign Indians be carefully regulated. Calling attention to the severe drought prevailing the preceding summer, he advised that measures of relief be adopted for the benefit of the sufferers thereby. He also asked that provision be made for the proper care of a large quantity of ammunition and arms which her late majesty had sent to the Colony. In conclusion, he exhorted the Burgesses that they take care to preserve the good agreement among themselves and between their chamber and the Council and governor observable up to that time, since such an agreement would make the best of impressions on their new sovereign, predisposing him to the interests of *Virginia*.

All the governor's suggestions were promptly followed in the passage of appropriate laws. In addition, many of the petitions handed in also resulted in laws for the removal of the grievances of which they complained, and several laws found to be beneficial which were near their expiration were re-enacted. All these, added to several private acts that were passed, made up a considerable mass of legislation. There were also three bills on which much work was done but which did not finally become laws, two of them because the House and Council could not agree on certain amendments, and the third because, though it was agreed to by both chambers, the governor refused to sign it since it was a bill for the re-enactment of a law which had been found to be beneficial but nevertheless was drawn so as to be temporary, and not perpetual, as it should have been according to the governor's instructions. This bill had the title "An act for security

<sup>25</sup> Hening, III, 355, 356.

and defense of the country in times of danger." It seems, from what *Spotswood* says of it in his letter to the Board of Trade of *January 27, 1714-15*, in which he gives an account of the legislation of the session, that the members of the Council cared very little about the act, and *Spotswood* himself even less, despite what he calls "its precious title." One of the bills on which the House and the Council could not agree had for its object the adding of a part of *James City* county to *Charles City*, and the object of the other was to make more convenient the boundaries of the several parishes in *Prince George* County. The resulting dead-lock in each case was good proof of the correctness of the observations made by *Spotswood* some time before on the inconvenience arising from the control of such matters by the General Assembly.<sup>26</sup>

The only other matter in reference to which *Spotswood* found it impossible to control the Assembly was the joint address of the House and the Council to his majesty the king requesting that he allow the quit rents to be permanently used to defray the expenses of the government of *Virginia*. On the 10th of *December* the governor sent a special message to the House stating that the revenue appropriated for the support of the government continued to be greatly insufficient, and calling attention to his message of the 28th of *November, 1712*, to which reply had been made that the House did not then have time to "consider fully so great a work." Now, after two years, the governor hoped that the House was prepared to come to some resolution on the subject. On the fifteenth the reply of the House was ready. It was in substance that the only recourse which the House could see was an application by the Council to the king for the use of the quit rents. The following day the Council informed the House by message that in their opinion the application should be made by both chambers of the Assembly in a business of such great import. Consequently a very earnest address was prepared by a joint committee of the two chambers, setting forth the great need, pointing to precedents, and finally asking that the quit rents paid in *Virginia* be permitted to remain there as a source which might be drawn on in every case of emergency.<sup>27</sup> At the same time an address was prepared to the governor asking that he transmit with his recommendation the paper prepared for presentation to the king. The governor transmitted the address as requested, sending it to the Commissioners of the Treasury, with a letter explaining that he did not "join with the General Assembly in so improper a request as is that of asking his majesty in the very beginning of his reign to give away his whole revenue of quit rents," though he concurred to the extent of asking that the present deficiency be made good from that source.<sup>28</sup>

At this session there were passed seventeen acts, of which only four are given in full in *Hening*,<sup>29</sup> and only one of the others by title. Fortunately, however, *Spotswood* gives in his letter of *January 27, 1714-15*, a description of most of them, and the Journal gives much information also. Hence their most important features at any rate are known.

The first four acts given in the list on pages 116 and 117 were passed in response to the governor's various recommendations in his opening speech. In the "Act for the better regulation of the Indian trade," it was provided that all trade with the Indians in *Virginia*, both tributary and "foreign," should be carried on at one place, namely, the new settlement of *Christanna* on the *Meherrin* River, in open market, by the agents of a company that was to have a strict monopoly of the trade for twenty years. In return for the privileges granted, the company was to contribute toward the erection of the magazine to be built at *Williamsburg* as a storehouse for the ammunition and arms of the Colony, to take its supplies of powder used in the Indian trade from this magazine, always putting in an equal amount of fresh powder—this was to prevent the powder in the magazine from becoming impaired with age—to erect a school house for the Indian children at *Christanna*, and after the lapse of two years to assume the maintenance of

<sup>26</sup> See above.

<sup>27</sup> See p. 109.

<sup>28</sup> Official Letters of Alexander Spotswood, II, 80, 81.

<sup>29</sup> *Hening*, IV, 51-57.

the fortifications at that place and of the guard of twelve men with an officer. Some of the advantages to flow from this law were the prevention of illicit and harmful trade with the Indians, the easy suppression of trade altogether whenever it seemed advisable, the great extension of the trade in proper articles and under correct regulations by making it possible for the people of the country in general to subscribe to the stock of the company, the gradual education of the Indians by means of the instruction in the school and by the trade itself, and their sure conversion into friendly and civilized neighbors.

The "Act to exempt certain *German* Protestants from the payment of levies for seven years and for erecting the parish of Saint *George*" had to do with the *Germans* settled by *Spotswood* just above the falls of the *Rappahannock* River. These *Germans* had in the first instance been encouraged to come to *Virginia* by the baron *de Graffenreidt*, who hoped that they, many of them being practical miners, would be able to find valuable mines there. But the baron had not been able to continue in *Virginia* till their arrival. Hence they were entirely at *Spotswood*'s disposal, and he saw in them good substitutes for the *Tuscarora* Indians to play a part in his general scheme of strengthening the frontiers, especially since he had a private project on foot for working the mines in the neighborhood of the place where they were located, *Germania*, as soon as it could be definitely ascertained what share of the product would be expected by the *English* crown. The "Act for the relief of persons who by reason of the drought of last summer have made small quantities of corn and tobacco and who for want of opportunity of shipping have great quantities of old tobacco now by them, and for punishing persons who shall carry any hogheads of tobacco not stamped out of this Colony" seems to have allowed that debts both public and private should be paid for the time being in the same kind of tobacco as had been receivable before the great tobacco law passed at the preceding session of Assembly went into effect, and to have permitted the shipment of this kind of tobacco from the Colony.<sup>30</sup> The "Act for erecting a magazine" provided for the erection, at a cost of not to exceed £200, of a suitable storehouse for the safe keeping of arms and ammunition, and for the salary of a keeper and an armorer. It further provided that so soon as the *Virginia* Indian Company should be incorporated for trade with the Indians, it should, before entering on the trade, pay to the treasurer of *Virginia* £100, part of the sum to be expended on the building. The governor was empowered to superintend the construction of the building and to issue his warrants from time to time on the treasurer for payment of the money appropriated, which was to come from the fund arising from the duty on liquors and slaves. The last provision was made a part of the bill, not merely as a mark of confidence in the governor, but also because the building was needed at once and the governor offered to advance the necessary amounts from his own purse and wait for payment from the duties, which were already considerably anticipated.<sup>31</sup>

The "Act to prevent the malicious burning or destroying the public storehouses of the tobacco agents" was rendered necessary by the extremes to which some of those opposed to the great tobacco law had already gone in their talk. It does not seem that any actual case of warehouse burning had taken place. The object of the law was to show what punishment might be expected to follow the commission of such a crime, which was classed as a felony punishable by death. By the "Act to continue an act entitled an act for preventing frauds in tobacco payments and for the better improving the staple of tobacco" the great tobacco law was continued in operation for one year beyond the limit set in the first law, one or two acknowledged defects being amended. For example, provision was made whereby the rent charged by the owners of such houses, or of the land on which they were built, might not be excessive.<sup>32</sup>

None of the other acts needs to be dwelt upon at any length, since the object of each is readily inferred from the title. It is of interest to note, however, that the "Act

<sup>30</sup> Official Letters of Alexander Spotswood, II, 96. See also this volume of the Journals, p. 100.

<sup>31</sup> Official Letters of Alexander Spotswood, II, 97.

<sup>32</sup> See pp. 93, 94.

for continuing an act entitled an act for prevention of abuses in tobacco shipped on freight," which merely continued the law of 1710, the "Act for regulating and settling the current rates of gold coin and of *British* silver coin in this dominion," whose purpose was to fix the rates at which different coins should circulate at such figures as would prevent their being driven from the Colony, and the "Act to oblige owners and occupiers of mills to which public roads shall lead to make the dams of such mills ten feet wide at the top," whose object was to insure a sufficient width to these dams to enable wagons to be driven over them with ease and safety, became permanent general laws of the Colony.

The good feeling existing during this session of the Assembly between the Council and the House was, as was that between the House and the governor, very commendable, nothing occurring seriously to interrupt it, since the difference between the two chambers as to the bills on which they could not agree were not allowed to become exaggerated into violent disagreements, and the only case in which there might have been a possible misunderstanding over a question of precedence was foreseen and provided against. This question was whether the joint address to the king congratulating his majesty on his accession to the throne should be delivered to the governor, who was to forward it, by the speaker of the House or by the president of the Council. The House claimed that it should be delivered by the speaker, since the address had been prepared in the House. It was finally agreed that if the governor should be pleased to have the address delivered to him in the Council chamber, then it should be read to him and the paper handed him by the speaker of the House; but if in the "palace," by the president of the Council. In the House itself there seems to have been only one occasion on which the feeling exhibited by a member in debate ran unduly high. The member was Mr *George Marable*, of *James City* County, and the question up at the time (Nov. 29) almost certainly was whether the tobacco law should be continued or not. Mr *Marable*, who was much opposed to the law, rendered himself in the course of his remarks liable to the complaint, brought in the following day, that he "did yesterday in a debate in the House utter many undecent and reflecting speeches against several members of this House then present, in breach of the rules of the House."<sup>33</sup> On proper explanation, however, that he intended no reflection by the words he made use of, he was excused. This incident is interesting not so much in itself as in the premonition it gave of the feeling that was to control the next House. In this House Mr *Marable* became a leader, and used every effort to have the tobacco law repealed.

<sup>33</sup> See p. 93.

## Assembly of 1715.

THIS Assembly, which had only one session, met on the third of *August*, 1715, and was dissolved on *September 7* of the same year. Though thus in session for more than a month, it passed only three acts, "An act for the encouragement of such persons as have gone and shall go voluntarily into the service of *South Carolina*," "An act for raising a public levy," and "An act requiring the vestry of the parish of *Henrico* to build a chapel in the said parish," no one of them a measure of great importance. The important bills of the House were defeated in the Council, and the one important bill of the Council was defeated in the House. Hence, so far as actual legislation is concerned, this Assembly may well be called the "do-nothing" Assembly. The repeal of the tobacco law had been made the great issue in the election of members, and those favorable to repeal now took control. Mr *Peter Beverley*, speaker of the House for the two former Assemblies, failed of re-election to this position, his place being taken by Mr *Daniel McCarty*, a new man. Mr *Beverley*, indeed, was excluded from the House altogether, for, having failed of election from *Gloucester*, the county he formerly represented, he was returned by the inchoate corporation of *William and Mary College*, and the House decided that the college, not having a sufficient number of masters and still being under the control of trustees, was not entitled to representation.<sup>34</sup> Mr *Gawin Corbin* and Mr *John Clayton*, both new men, were made chairmen of the committees of privileges and elections and propositions and grievances, respectively, and Mr *George Marable* was placed at the head of the committee of public claims after the decision was reached that Mr *Beverley* was not rightfully a member of the House, Mr *Beverley* having up to that time acted as chairman.

The occasion of the calling the Assembly together was the alarming condition of affairs in *South Carolina*, where the colonists had been suddenly attacked by a combination of Indians before considered staunch in their friendship, and where at one time it had looked as if the whole colony would be overrun. On first hearing of the situation *Spotswood* had sent a large supply of arms and ammunition and later a force of men, and it was in order to be enabled to give further assistance that he convened the Assembly—for this purpose, and to secure the passage of such a law for the improvement of the militia as would render it a sufficient defense in case the Indian war should spread to *Virginia*. In his opening address he gave, in addition to the facts just set forth, rather reassuring information that some of the tribes warring against *South Carolina* had sent messengers to him offering an accommodation. He strongly urged, however, that the chance of coming to terms with them should by no means cause the Assembly to think of laying aside for an instant the concerting of measures for the assistance of *South Carolina* and the defense of *Virginia*. He pointed out that the surest way of securing an advantageous treaty was to impress the enemy with a notion of the strength of *Virginia*. For this reason he desired a very short session, so that he might meet on the frontier at the head of a considerable force the chiefs of the tribes from *South Carolina* who were coming to treat of peace.

In spite of this address, however, and in spite of the fact that it had been stated in the writs calling the Assembly together that the meeting was to be for the purpose referred to, the House went to work at once on other matters, deferring the consideration of the governor's address to the following *Monday*, although the address was delivered to them on *Thursday*, and not finally giving the governor an address in reply until the 10th of the month, six days after his address had been delivered in which he urged expedition. The usual committees were named and the usual orders promulgated, for instance, among others, that all propositions, grievances, and public claims should be brought into the House by a fixed day, and that the committee of propositions and grievances should inspect the Journal of the House for the last session and report

<sup>34</sup> See p. 138.



to the House what was found to be necessary to be considered the present session. And an order showing conclusively that the House, far from intending a short session, was deliberately planning for one exactly the reverse, was the following, agreed on the same day that the address was delivered: "That all petitions, propositions, and grievances directed for the last session of Assembly and not considered be admitted to the consideration of this session."<sup>35</sup> The majority of the members of the House evidently thought that the matters called to their attention by the governor were not so urgent after all as the governor wished them to appear, and that, besides those things mentioned by him, other matters should also receive consideration—especially, as it soon developed, the question of the repeal of the tobacco act.

The same day the House was informed by some of its members that the justices of the county of *Richmond* had neglected to hold a court for certifying public claims as by law required, and thereupon it was ordered that the justices be prosecuted by the attorney-general for their neglect. Complaint was also made to the House that certain justices of the court of the county of *New Kent* at a court held for receiving and certifying propositions and grievances to the General Assembly had refused to receive a paper containing propositions and grievances signed by inhabitants of that county, and it was ordered that the offending justices be sent for in custody of the messenger of the House. This case proved to be one of the most interesting and exciting dealt with at that session of the Assembly, or, in fact, at any session of the General Assembly during its whole history. On the 9th of August, *Richard Littlepage* and *Alexander Walker*, two of the *New Kent* justices, having been arrested by the messenger, were called to the bar of the House for examination; after which it was ordered that they should be required to make "an humble acknowledgement of their error at the bar of the House," and then reprimanded by the speaker. Mr *Walker* acted in accordance with the judgment of the House, and was discharged from custody upon paying fees, but Mr *Littlepage* obstinately refused. He was ordered to be kept in the custody of the messenger. Three days later Mr *Littlepage* and Mr *Butts*, who had in the meantime also been arrested by the messenger but who had not made his appearance before the bar of the House, made their escape from custody. When information was given the House of this fact, the messenger, having been called to the bar and examined, was judged guilty of a misdemeanor and neglect in the execution of his office, and Messrs. *Littlepage* and *Butts* were declared guilty of a "high misdemeanor and contempt of the authority" of the House. It was ordered that they be pursued and retaken. The execution of the order was put in the hands of a new messenger immediately commissioned by the governor.<sup>36</sup> When, however, the messenger in person informed Mr *Littlepage* and by deputy Mr *Butts* of the order of the House, both gentlemen refused to surrender themselves into custody, saying that, the House of Burgesses having no authority to send for them, they would not obey. When informed of this on the 15th,<sup>37</sup> the House resolved that an address be presented to the governor asking that he give such orders as he might think necessary for bringing the two gentlemen before the House "to answer for their repeated contempts of the authority" of the House. It was necessary for the House to apply to the governor, since at that time they had only one messenger and he was an appointee of the governor. The address was duly prepared by the committee of privileges and elections<sup>38</sup> and duly delivered.<sup>39</sup> The governor gave verbal reply that his concern for the honor of the House of Burgesses should always equal theirs for the honor of their country, and that the executive power would vindicate the representatives of the people "conformable [conformably] to the support they agree to afford it." This reply, promising nothing and showing only the irritation of the governor at the neglect of the House so far to furnish the assistance asked for at the opening of the session, was unsatisfactory to the House, and it was

<sup>35</sup> See p. 124.

<sup>36</sup> See pp. 135, 136.

<sup>37</sup> See p. 139.

<sup>38</sup> See p. 140.

<sup>39</sup> See p. 142.



resolved that a second address to his honor be prepared by the committee of privileges and elections to the effect that he be pleased to issue such immediate orders as he should judge most effectual for bringing *Littlepage* and *Butts* before the House. This second address was reported to the House on the 18th, and is an unusually well expressed paper, being in the style of Mr *Clayton*, the chairman of the committee of propositions and grievances, rather than in that of Mr *Corbin*, the chairman of the committee of privileges and elections. In fitting terms it set forth the reasons why his honor was again appealed to, and begged that he should take steps to preserve to the House their ancient rights and privileges, which were in danger of being subverted if the contumacy of those two gentlemen were allowed to go unpunished. The address was signed by the speaker, and taken to the governor by the committee of privileges and elections, the committee of claims, and seven members in addition. To this address the governor sent a written reply, showing the same irritation as did the former verbal reply. Its opening sentence was: "I am sorry to find your utmost concern to be about what you call the rights and privileges of your House, while you seem to reserve none for the distressed condition of your neighbours, and testify the greatest indifference for the safety and honor of your country."<sup>40</sup> Continuing, the governor said that while he was ready to assist the House in maintaining its just rights and privileges, he must be excused from aiding in any of their invasions on the prerogative, and that they had no right to erect themselves into a court of judicature for the trial of the justices of the peace. The next day the House agreed to several resolutions to the effect that the House had an undoubted right to receive, hear, and redress the grievances of the people of the Colony when legally certified, and that the refusal of *Littlepage* and *Butts* to certify the propositions and grievances submitted to them while sitting as members of a court held for the purpose of certifying grievances was arbitrary and illegal and a subversion of the rights and liberties of the people; that the House in sending for them did not intend to invade any part of the royal prerogative and were of the opinion that they had not done so; that the two gentlemen in disobeying the orders of the House and escaping out of custody were guilty of a great misdemeanor and contempt, and ought to be punished; and that they ought to be compelled to appear and answer their misdemeanor and contempt at the bar of the House. It was further resolved that a suitable address to the governor be drawn up on his message. In this address, also very skillfully worded, showing that there was at least one writer of real ability in the House—it was undoubtedly Mr *Clayton*—the whole conduct of the House up to the time of the writing of it is defended. So far as their conduct in reference to the two justices was concerned, they protested that they had no desire to invade the royal prerogative, but it seemed to them that when justices in cases which "were not judicial but ministerial only" assumed a jurisdiction and by their judgment debarred the people and their representatives from the methods prescribed by law for redressing grievances, such matters were to be taken cognizance of by the Burgesses in Assembly; and they were the more inclined to this opinion since the law directing that the justices hold the courts for certifying grievances was silent as to how justices refusing to certify grievances, as in this case, should be proceeded against.<sup>41</sup> The Council, in the meantime, objecting to the wording of the resolution of the House that the House had the right of receiving, hearing, and redressing the grievances of the inhabitants of the Colony, sent a message to the House reminding that body that the power of redressing grievances was lodged in the whole General Assembly, with the governor's concurrence, and not in the House singly. The Council claimed that all such propositions and grievances should be directed to the General Assembly and should be considered first by the Council, the upper house of Assembly, and they hoped that the action of the House at the present session in considering several such papers without referring them at all to the Council, arising probably from inadvertence, might not be taken as a precedent for the future. To this message a very polite reply was returned, in which the House assured the Council

<sup>40</sup> See p. 144.

<sup>41</sup> See p. 148.

that it was far from their intention "to attempt to invade any of the privileges of the upper house." The law, the message said, did not prescribe how these grievances should be directed, and accordingly they had been variously directed; occasionally they were not directed at all; hence the House thought it within the province of the Burgesses to receive and hear, in order to redress, all such papers as were not specifically addressed to the Council or the governor; but the House was very willing to transmit at any time to the Council all such propositions and grievances as the Council might desire to inspect. In a further message to the House, delivered *August 27th*, *Spotswood* asserted that frequently in the past propositions and grievances had failed of the attestation of the county courts, but still had been received by the General Assembly, and he called the attention of the House to the fact that the uncertified grievances of this session had not been by any means barred by the House. If the justices were not to use their judgment in distinguishing between those complaints which were baseless and those which were just, he did not see any reason for submitting them to the court before sending them to the Assembly. This was, according to *Spotswood*, probably the first time that any House of Burgesses had ever sought in this way to punish justices for presuming to judge of the truth or falsity of a complaint of this nature, and he was unwilling to assist them in making good an assertion of rights and privileges beyond those claimed by their predecessors. On the other hand, the Burgesses maintained in resolutions agreed to the 2nd of *September* that the only motive of the House in adopting the course they had pursued was their wish to maintain the rights and liberties of the people against those who desired to "deprive them of the benefit given by law;" that the paper refused certification contained nothing false or seditious; that the *New Kent* justices, being the first to refuse to certify such papers, ought to be the first to be punished at the bar of the House; and that in the refusal of the governor to aid the House in compelling *Littlepage* and *Butts* to appear at the bar, the House was denied its "just rights and privileges." The Council, in this controversy siding with the governor, informed the House in a long message, delivered the last day of the session, devoted to a discussion of the various questions at issue, that if the House had asked merely that the governor aid them in retaking a prisoner who had escaped from the custody of their messenger he would have complied with the request, but that his refusal to aid was caused by the insistence of the House on erecting themselves into a court to try crimes and misdemeanors. And even the Council's message did not contain the last word on the subject; for the governor vehemently returned to it in his long address delivered at the close of the session, merely repeating, however, in different words what he had already said.

Now that the smoke of battle has long since rolled away, it is not hard to determine that in their main contention the House of Burgesses was right. The law<sup>42</sup> allowed the justices no power whatever to examine into the nature of the grievances; it called for the certification of all. The framers of the law felt, no doubt, that the mere requirement that a person or persons drawing up a paper setting forth a grievance should present it to the county court would effect the elimination of those that were frivolous; and they did not wish to put any further clog on the right of petition. Manifestly, if justices were permitted, in plain contravention of the law, to judge of the matter of these papers, the right of petition would be seriously impaired. This was by all means to be prevented, and the members of the House felt that, in the absence of a special provision covering such a case, the House was the proper body to take cognizance of it. Though the act of the justices was not a breach of the privileges of the House, it was an illegal act which it was very well for the House to take notice of. In later times there were several similar cases in which the House insisted on taking jurisdiction. The first of these was the case of *Joseph Smith*, one of the justices of *Effex* County, who in the 1723 session of the Assembly was by order of the House reprimanded by the speaker for refusal to certify a grievance.<sup>43</sup>

<sup>42</sup> Hening III, 245, 246.

<sup>43</sup> See p. 373.

A very interesting case of the exercise by the House of the right of judging of the election and qualifications of its members presented itself at this session in the case of Mr *William Cole* and Mr *Cole Diggs*, elected to represent *Warwick*. In their canvasses these gentlemen had promised that if elected they would draw no salary. This having been reported to the House and examined into by the committee of privileges and elections and found to be true, the two gentlemen were declared not duly elected, and the governor was requested to issue a writ for a new election. At this election Mr *Cole* and Mr *Diggs* were again successful, and, having made this time no ante-election promises we may be sure, were allowed to take their seats. Mr *Cole* and Mr *Diggs* were of the governor's small party in the House, and the governor in his message of *August* the 27th took occasion to taunt the House with the treatment meted out to them, whereupon the House in their resolutions of *September* the second affirmed that the action taken was only according to the law of the Colony. The Council, in their message of *September* 7th to the House, declared that there was no law in *Virginia* to prevent a candidate from generously offering to serve without pay. Finally, the governor, in his closing address, made further sarcastic reference to the incident. Despite the governor's sarcasm, however, and the Council's assumption of superior knowledge, it must appear to any unprejudiced mind of the present day that the House was justifiable in its course, for the law distinctly disabled any one from sitting in the House who made a gift of money or anything else or promised any gift or reward to any "person or persons in particular" or to any "county, town, or corporation in general;" and certainly the offer of service without pay was the promise of a reward to the county, the counties at that time paying the salaries of representatives.

Toward carrying out the purpose for which it had been called together the House did almost nothing; for the "Act for the encouragement of such persons as have gone and shall go voluntarily into the service of *South Carolina*" merely provided that they should be relieved from paying taxes for the year. It is true that the House voted to appropriate £450 to enable the governor to carry out his agreement with *South Carolina*, but it tacked the appropriation to the House bill for the repeal of the tobacco law, hoping that possibly in this way the measure which had become so obnoxious to the majority of the members might be got rid of.

The tobacco law could not be repealed in any other way, since both the Council and the governor were firm friends of the law, being willing, however, even desiring, that several amendments be made. These were embodied in a bill drawn up and passed by the Council, the main provision being that the fees of the agents, or inspectors, should be cut in half, but this bill was rejected by the House.

Leaving aside the spirit in which it was conceived, the address of the governor made at the close of the session gives a good summary of the attempted legislation. This speech is, however, bitter, unfair, and insulting to the opponents of the governor, most, probably all, of whom were as honest as the governor himself, and many of whom were as sagacious. In the last sentence of this speech he dissolved the Assembly.

<sup>44</sup> Henning, III, 243.

## The Assembly of 1718.

### First Session.

THE Assembly of 1718 held two sessions, the first lasting from *April 23rd* through *July 10th*, with a long intermission from *May 30th* to *July 10th*, and the second lasting from *November 12th* through *December 1st*. *Spotswood* had dissolved his former Assembly in a high rage on account of the influence of the House on devoting its time to the consideration in its own way of the questions it thought most important, to the exclusion of the one recommended by the governor. He hoped by an appeal to the country to find himself provided with a House of Burgesses more inclined to look at questions through his lenses. Unfortunately for him, however, a dispute which had almost as soon as he first came to *Virginia* commenced between himself and two of the most influential members of the Council, Colonel *Philip Ludwell* and Colonel *William Byrd*, the former the auditor of accounts of the Colony and the latter the receiver general, over the methods of collecting and auditing the revenues, had grown in violence, as had a dispute with the majority of the members of the Council, also of some years' standing, as to the right of the governor to name as judges of the courts of oyer and terminer any persons except members of the Council. A dispute, too, between himself and Commissary *Blair* as to the right of presentation to benefices had arisen. The result was that eight of his twelve councillors could now be counted on to oppose his views wherever a possible difference of opinion could arise as to their wisdom, whereas in the former Assembly the majority of the Council were still friendly, only Colonel *Ludwell*, Colonel *Byrd*, and possibly one or two others giving countenance to the proceedings of the House of Burgesses. The feeling of the members of the Council had made itself felt in the elections, and this, added to the old bitterness engendered at the last meeting of the Assembly, had as its result the return of a House even more hostile to the governor than was its predecessor. It was made up, indeed, very largely of the same members as before, but was no doubt strengthened in its opposition by the fact that now it could look for the support of the upper chamber of the Assembly—not, indeed, on all matters coming up for consideration, for there were still differences of opinion between the two chambers, but on matters peculiarly affecting the governor. The tone of the papers addressed by the governor to the House showed a great improvement over the tone characterizing those of the former session, for it had been intimated to him by the Board of Trade<sup>45</sup> that the Board desired a change in this respect, but the tone of the papers of the House was on more than one occasion studiously offensive, and the House seemed, when it was necessary to send written communications to the governor, to select as members of the committees intrusted with the delivery of them just those Burgesses in the main known to be on unpleasant personal terms with him.

The number of members of the House during this Assembly was fifty-two, instead of fifty-one, the number for the preceding Assembly after Mr *Peter Beverley* had been compelled to withdraw, the gentleman elected to represent *William and Mary* College being now allowed to take his seat. The reasons for the rejection of a member for *William and Mary* were as strong as they had been at the meeting of the preceding Assembly, for the college had not yet been turned over by the trustees to the president and masters, but the gentleman who was formerly returned was Mr *Peter Beverley*, a friend of the governor's; now, no doubt, Commissary *Blair*, who as president carried the vote of the college in his pocket, had given this vote to a determined opponent. Mr *Daniel McCarty* was re-elected speaker, and toward the close of the session<sup>46</sup> the House resolved that the sum of £100 out of the money in the hands of the treasurer

<sup>45</sup> Official Letters of Alexander Spotswood, II, 228.

<sup>46</sup> See p. 214.

be given him. This was probably to reconcile him to his failure of election to the office of treasurer, an office usually held by the speaker of the House. Owing to the feeling existing at the preceding meeting of the Assembly and at this one, as at the following meeting, no bill naming a new treasurer could be passed, and therefore Mr *Peter Beverley*, not now a member of the House, continued to hold this responsible and lucrative office. Mr *John Clayton*, probably the best educated and most talented member of the former House, had failed of re-election from *Jamestown*, being succeeded by Mr *Archibald Blair*, brother of Commissary *Blair*. Mr *Clayton's* position at the head of the committee of propositions and grievances was taken by Mr *Gavin Corbin*. The governor charged that the principal papers proceeding from the House at this session were written by members of the Council, as that many of the measures adopted by the House had their origin in the brains of his enemies of the upper chamber. The clerk of the House at the beginning of the session was Mr *Thomas Eldridge*, who was very soon, however, succeeded by Mr *John Randolph*, subsequently the distinguished Sir *John Randolph*. Mr *Richard Buckner*, the former clerk, had fallen under the grave displeasure of the House because he had inserted in the Journal of the former session as a part of the proceedings the closing address of the governor. When called before the House to give reasons for doing this, he explained that it had been done by the special order of the governor. He was discharged from custody on the payment of fees. Since the clerk of the House was an appointee of the governor, Mr *Buckner* could no doubt at the beginning of this session have been named for the position. Knowing the feeling, however, he preferred not to continue in office.

In the interim between the dissolution of the Assembly of 1715 and the convening of the Assembly of 1718 the opponents of the tobacco law and the law respecting the Indian trade had made such assaults upon them before the Board of Trade, bringing to their assistance the powerful influence of the *British* merchants trading in *Virginia*, that these two laws had finally been repealed by an order in council. The *British* government, moreover, had been pleased to send out instructions that no law in the future affecting the trade and shipping of *Great Britain* should be signed by the governor till approved by the Board of Trade and the Privy Council, and recommendations that the Indian Company be reimbursed the sums expended by it for the benefit of the Colony. *Spotswood* announced in his opening address that the main purpose of his calling the Assembly together at that time was to communicate the instruction and the recommendation. He also wished, however, to be provided with means for going to *Albany* to make a treaty with the Five Nations, who had recently shown some disposition to recede from the treaty entered into with Lord *Howard*, and he hinted that he should be reimbursed the expenses incident to several expeditions he had undertaken in the country's service—one of which was, no doubt, the famous expedition over the *Blue Ridge* Mountains in 1716, and another was his journey to *New York* in 1717 to consult with the governor of that colony in reference to Indian affairs. In beginning his address the governor expressed his great pleasure in being able to call attention to the very flourishing condition of the Colony at that time, the direct taxes laid on the people being light, the products of their labor in great demand, tranquility prevailing on the frontiers, and the treasury containing a greater amount of money than had ever been before collected in it. It was the unusual business of the Assembly to dispose of a surplus rather than to devise means for raising revenue.

In attending to the matters referred to, the House took its own time and pursued its own methods. After delivering the governor a purely formal complimentary address in reply just one week after the presentation of the opening address, it in a second address requested that the governor inform the House in what way the northern Indians had shown a disposition to break away from their former treaty and what expensive expedition he had undertaken "purely for the service" of the Colony, asking that his expense account be handed in at the same time. In reply the governor intimated a circumstance which must already have been well known to the members of the House,

47 Official Letters of Alexander Spotswood, II, 276 ff.

namely, an attack made the year before near *Christanna* by a band of *Senecas* on a body of *Catawbias*, who had come to the fort to deliver up hostages, and who in accordance with the regulations at the fort had given up their arms. In the same message he expressed the hope that, since the Indian Company was now dissolved, which had agreed to keep up the fortifications at *Christanna*, the House would provide for this, for the protection of the *Sapony* Indians, the only tribe which had carried out the treaty made in furtherance of his former scheme for settling the tributary Indians as a protection to the frontiers. He also recommended to the care of the House the hostages delivered at *Christanna* by the *Catawba* Indians. As for the expeditions he had engaged in "purely for the service of the country," the diary he had kept of his movements enabled him to give an account of his travels, but he had kept no expense account. The Council, in so far as *Christanna*, the *Sapony* Indians, and the *Catawba* hostages were concerned, were in accord with the governor, writing two long messages to the House which covered the whole ground minutely<sup>48</sup>, and explaining that all the measures taken since the repeal of the "Act for the better regulation of the Indian trade" had been taken with the Council's approval, even the request made to the Indian Company—which was dissolved as a legal corporation and a monopoly by the repeal of the law but which did not immediately go out of existence as a private company—to continue the work begun for making *Christanna* more defensible, to keep up the guard, and to care for the *Catawba* hostages till the General Assembly should make provision for these objects. The Council, as well as the governor, wished the fortifications and the guard kept up and the hostages retained. Notwithstanding this, the Burgesses resolved that nothing should be paid the Indian Company for the expense it had incurred in perfecting the defenses of *Christanna* since the repeal of the law; that keeping up and guarding Fort *Christanna* would be of no benefit to the country; and that the hostages should be sent home, in such a manner, however, as would preserve the friendship of the *Catawbias*. The only concession made was that the Indian Company should be paid for the maintenance of these hostages from the 13th of the preceding *November*, the date of the proclamation repealing the law. The substance of the resolution was embodied in an address to the Council, and also in an address made the governor on the day of adjournment.

The only fruit of the suggestion made by the governor that he be repaid the money expended by him in the expeditions undertaken for the benefit of the country was the following sentence in that address: "As the account your honor hath given us of your many fatiguing journeys undertaken for the service of this government convinces us of your great diligence, so, Sir, we hope they will give you the satisfaction of reflecting that you have deserved the salary allowed by his majesty."<sup>49</sup>

The recommendation of the governor that provision be furnished for his making a new treaty with the northern Indians was met by the declaration that as treaties with the Indians had always before been made by the governor and Council so the House was willing now to leave the transaction of that kind of business in those hands.<sup>50</sup>

As for the instruction that the governor must not in the future sign any act affecting *British* shipping or trade until approved in *England*, it gave rise to an address drawn up by the House to the king humbly praying that the same liberty should be allowed his governor in signing bills as had before existed, since it frequently happened that emergencies demanded that laws be passed even on these subjects to go into effect at once. In this address was included a prayer that the governor in constituting the courts of oyer and terminer be instructed to choose only members of the Council.

In order that the address might be properly presented and that other affairs of the Colony might receive due attention, it was resolved that an agent be appointed. Accordingly, a bill was passed by the House and came very near passing in the Council, which, according to the account given of it by *Spotswood* in his letter of *June 24, 1718*, to the Board of Trade, gave the House, without the concurrence of the Council, the

<sup>48</sup> See pp. 201, 203, 204.

<sup>49</sup> See p. 213.

<sup>50</sup> See p. 199.

power to name this agent, to change him when it saw fit, and to fix his salary; and when this bill was finally rejected by the Council, the House by its own resolution appointed Colonel *William Byrd*—Colonel *Byrd* was at that time in *England*—agent for the Colony. A committee, appointed to draw up instructions to the agent, reported the following, which were adopted: "You are desired to lay before his majesty the address of the House of Burgesses and to negotiate that affair to effect.

"The House have thought fit to send their Journal for your perusal; and in case any misrepresentation should be made of their proceedings, you are desired to have regard to their honor."<sup>51</sup>

The second instruction clearly shows that the House was growing suspicious of the governor.

The recommendation of the Board of Trade that the Indian Company be repaid the money it had expended in the interests of the Colony, was effective to the extent of causing the House to agree to refund to the company the £100 the company had paid toward the construction of the magazine, and, as already stated, the repayment of the money expended in caring for the *Catawba* hostages from the date of the publication of the repeal of the Indian trade law.

To dispose of the surplus in the treasury the House passed a rather remarkable bill in some of its features, which, however, was accepted by the Council. This was that £8,000 be put out at interest, a wise provision in itself, seeing that currency was entirely too scarce in the Colony to permit with complacency the thought of this large amount's being locked up and kept out of circulation; but only one-half of this was to be put out at interest by the treasurer. The other half<sup>52</sup> was to be put out at interest by Mr *Archibald Blair* at the rate of four per cent, two per cent of the interest being allowed Mr *Blair* for his trouble in making the loans and in consideration of the fact that he should be liable for all bad debts. If the bill was drawn in strict accordance with the resolution calling for it, it allowed Mr *Blair* to use this money in his own business at 2% interest. Mr *Blair* was, according to *Spotswood*, a partner of his brother—Commissary *Blair*—and Colonel *Philip Ludwell* in the conduct of one of the largest mercantile establishments in the Colony. But *Spotswood* says that one of the clauses of the bill provided that unless he lent the money he was to pay no interest at all. Thus his firm would be allowed the use of this large sum of public money with no *quid pro quo* whatever. But this was not all. *Spotswood*, in his description of the bill, adds the following sentence: "And as this money, being once placed in his hands by Act of Assembly, could not have been called out of his hands but by the same authority, and as there is in the Council a great majority of the relations of those gentlemen [Col. *Ludwell*, Commissary *Blair* and Mr *Blair*], should they have refused their concurrence to the recalling that money, it must remain in his hands without any interest to the country as long as they pleased." The governor therefore determined to reject the bill. He did not find this necessary, however, for the bill, though it passed both houses, was not presented to him for his signature.<sup>53</sup>

Another method, however, hit upon for putting a part of the money into circulation was agreeable to all parties, and was embodied in a law. This was the method of giving £1,000 to *William and Mary* College. This act and the "Act for settling the fees of the secretary, county court clerks, sheriffs, coroners, and constables, and for ascertaining the fees of attorneys to be allowed in a bill of costs," which was a very beneficial act indeed, preventing extortion on the part of public officers by requiring the placing in the secretary's office, the county court rooms, and the clerks' offices schedules of the fees allowed by law, were the only two acts of importance passed, the other two which passed being private acts. No one of the four acts is given in full in *Hening*. A very good abridgement, however, of the two public acts is given, with the titles merely of the other two.

<sup>51</sup> See p. 216.

<sup>52</sup> See p. 200.

<sup>53</sup> Official Letters of Alexander Spotswood, II, 288.



Besides the bill for allowing the treasurer and Mr *Archibald Blair* to put out £4,000 each at 4% interest, there were three other bills passed by both houses which did not become laws. A bill for dividing *Westover* parish, *Spotswood* refused to sign on account of what seemed to him its unfairness. He refused to sign a bill for the better securing levies because it was so altered in its passage through the Assembly as to be distasteful to many who had voted for it, and because he thought, accordingly, that it might be passed in much better form at the following session. A bill in reference to the post office was not presented to the governor for his signature because it was known that he would not give it. The post office was a new institution entirely misunderstood by the people of *Virginia* at that time. Though established by the act of Parliament of the 9th of Queen *Anne*, the postal system would, according to *Spotswood*, have, so far as *Virginia* was concerned, been rendered entirely ineffective had this bill been permitted to become law.<sup>54</sup>

Hoping that he would be able to prevail on the members of the Council to persuade the House of Burgesses to agree to make some provision for the payment of the expenses incident to making a treaty with the northern Indians at *Albany*, *Spotswood* adjourned the Assembly on May 30th to July 10th. On the very next day after the adjournment, however, the Council delivered its opinion that nothing further should at present be done with reference to these Indians<sup>55</sup>. Hence *Spotswood* wished to prorogue the Assembly, but the Council maintained that it was not legal to prorogue an Assembly during a recess. Hence the Assembly was convened again on the 10th of July, and was duly prorogued to Thursday, the 7th day of August. *Spotswood* said in his closing speech that he did not think it prudent to prorogue them for a longer period when the northern Indians were on the frontiers threatening destruction to the tributaries.

## Second Session.

It not having been found necessary because of the threatening Indian situation for the Assembly to meet on the seventh of August, the date to which it had been prorogued, the meeting did not actually take place till November the eleventh. The feeling entertained by the governor for the majority of the members of the House of Burgesses is clearly indicated by the fact that he did not open the session in the usual manner, by the delivery of an address, merely sending the House by the clerk of the General Assembly a message, instead, to the effect that he had nothing immediately to lay before it and that he therefore desired it to proceed with the consideration of such propositions and grievances as had been certified from the counties. Papers of this kind, however, were at this session extremely rare, nor were the claims presented numerous. So that at the beginning of the session it appeared as if it would be necessary for the Assembly to remain in session for only a few days and that little business would be done. The session, however, proved one of the most exciting that occurred in *Virginia* colonial history. For some of the members of the House of Burgesses had resolved, aided and abetted if not instigated by the Council, to make a determined effort to secure the removal of the lieutenant-governor. On November the twentieth, the ninth day of the session, when, according to *Spotswood*, many of the members had already gone home thinking that nothing remained to be done except the mere routine work, a member obtained leave to present an address to the king. This being read, its immediate consideration was resolved on. It was a request that his majesty would be graciously pleased to receive from the Honorable *William Byrd*, the agent of the House, particulars setting forth the reasons for the dissatisfaction of the House with the government of the Colony. Before the address was voted on, however, the proposed instructions to the agent were read, but no consideration of them in detail entered into, a method of procedure inveighed against by *Spotswood* as being irregular and unfair, as in his opinion was the entire course of his enemies in this transaction, since not only had the secrecy maintained by them in the earlier days of the

<sup>54</sup> Official Letters of Alexander Spotswood, II, 288.

<sup>55</sup> Official Letters of Alexander Spotswood, II, 280.



session as to their plan resulted in the absence of many of his friends when the matter was finally sprung upon the House—the records show that there were only thirty-seven members present, including the speaker, out of a total membership of the House of fifty-two<sup>56</sup>—but adequate time for debate was not allowed.<sup>57</sup> However, when on the day following the adoption of the address to the king the instructions to the agent were taken up for consideration by the House, only six of the fourteen submitted were approved, and three of these in an amended form. Whereas in its first form the first instruction, which was not voted on in the House till the others had been disposed of, directed the agent to endeavor to secure the removal of the governor, the clause containing this direction did not appear in the final form, having been stricken out by the House. The wording of the second instruction was changed from, “That he hath by a sinister construction of our laws as much as in him lay perverted many of them . . .” to “That he has by a misconstruction of our laws as much as in him lay perverted many of them . . .” In short, *Spotswood*’s friends in the House rallied so effectively to his support that as finally adopted the instructions contained no charges of any very great gravity, the most serious one and the one probably most nearly susceptible of proof being the fourth, namely, that he had “by provoking speeches and messages abused the House of Burgesses, and thrown undeserved reflections upon them.” *Spotswood*’s manners to the House of Burgesses had, however, since 1715, when he had been advised by the Board of Trade on the subject, much improved, so that now he had probably more to complain of from the House of Burgesses on the score of bad manners than they had from him. He maintained in several of his letters to the Board of Trade that it was a part of the policy of his enemies in the House to adopt toward him such a manner as would be likely to provoke him into a display of temper. The other charges against the governor were trivial, amounting to no more than that the construction put by him on several laws of the Colony differed from that placed on them by many members of the General Assembly. Thus *Spotswood* had scored a success. He was so assured of a final verdict in his favor when the matter should be brought before the Privy Council, that he made a very singular offer to bet with his accusers a thousand pounds on the result.<sup>58</sup> The winner was, however, to pay the expenses of the prosecution of the case. Moreover, when the Colony at large is considered, it seems that the success of the governor may be looked upon as a decisive victory, for he was able to send to the Board of Trade addresses in his favor from the principal inhabitants of twenty-one out of the twenty-five counties in the Colony, from the grand jury of the Colony, which was a body of twenty-one of the most prominent citizens of *Virginia*, and from the clergy met in convention.<sup>59</sup> In fact, *Spotswood* felt strong enough to ask for the removal from the Council of the faction opposed to himself, whose members he confidently asserted were the instigators of the trouble in the House of Burgesses. It was the same faction, according to him, that had secured the removal of both Governor *Andros* and Governor *Nicholson*, and was bent on ruling *Virginia*. He had specially sought to get Commissary *Blair* into trouble with the clergy in convention and through them with the bishop of *London*,<sup>60</sup> hoping to have him deposed from the commissaryship and in consequence from the Council.

At this session of the Assembly only three laws were passed, only two of which are given in *Hening*—and these merely by title—namely, “An act for impowering the treasurer of this Colony to put out at interest a sum not exceeding ten thousand pounds now in his hands” and “An act for raising a public levy.”<sup>61</sup> The first of these merely provided for getting into circulation the large surplus in the treasury, and was free

<sup>56</sup> See p. 228.

<sup>57</sup> For *Spotswood*’s views, see particularly his message to the House of November 28th, his speech at the close of the session, and his letter to the Board of Trade dated March 25th, 1719, on pp. 308–16 of Vol. II of Official Letters of Alexander *Spotswood*.

<sup>58</sup> See p. 240.

<sup>59</sup> Official Letters of Alexander *Spotswood*, II, 320.

<sup>60</sup> *Perry’s Historical Collections of the American Colonial Church, Virginia*, p. 199 ff.

<sup>61</sup> *Hening*, IV, p. 76.

from the objectionable features characterizing the bill for the same purpose passed by both branches of the General Assembly at the preceding session but not signed by the governor, and the second was merely the usual revenue act. To the third law passed, however, namely, "An act to encourage the apprehending and destroying of pirates," a very great degree of interest attaches. It was the outcome of a special message sent to the House on *November 13* by the governor and Council in reference to the depredations on commerce recently committed by pirates, and was put through both houses with commendable speed, receiving the governor's signature on the 24th, when the excitement in reference to the charges made by the House against the governor was at its height. In the presence of an acknowledged need animosities had been temporarily laid aside. It was in accordance with the provisions of this law that the rewards were paid to Lieutenant *Maynard* and his gallant crew for the killing of Captain *Teach* and many of his desperate followers and the capture of others. This noted action had taken place, indeed, on the 22nd of *November*, two days before the bill had been finally passed, but so confident had *Spotfwood* been that the House would in this respect do what was asked of it that he had felt warranted when *Maynard's* expedition was being organized in promising to the volunteers suitable rewards.

At this session the House of Burgesses endeavored to secure to Colonel *William Byrd* payment for his services as agent by having the amount (£300) which had been voted him by the House inserted in the book of claims. The Council readily agreed. The governor, however, refused his assent, sending the House an able message setting forth his reasons, and signed the book of claims with the distinct understanding that this item should be excepted. In this action is seen a very early illustration of what might be called "the discriminative veto."

Another measure that the House desired to get through at this session was "An act declaring who shall bear office in this country." This bill was passed by both the House and the Council, but failed to receive the signature of the governor. A law very similar had been passed in 1705, which in 1715<sup>62</sup> had been disallowed by the Privy Council because one of its provisions was that no one should hold office in the Colony unless he had resided there for at least three years. *Spotfwood* refused to sign the bill, since it rested, as he maintained, under the same objections as the law which had been repealed. In describing the bill to the Board of Trade he said that its design was to exclude from office all persons recommended from *England*.<sup>63</sup> In refusing to sign it *Spotfwood* was but following his instructions.<sup>64</sup>

The proceedings against *Spotfwood* met with little favor in the sight of the Board of Trade, and the law officers of the crown decided in his favor the various questions of law involved in the disputes.<sup>65</sup> But the final word on the subject had not been spoken by the Board when on *April 29, 1720*, a resolution was proposed in a meeting of the Council in *Virginia* and adopted that the strife between the two factions should be brought to an end and that they should agree "to act for the future as cordial friends in the administration of the government." *Spotfwood* readily assented.<sup>66</sup> Both *Spotfwood* and the Council wrote letters to the Board of Trade conveying this happy intelligence, and on *June 15* the Board of Trade sent a communication addressed to the governor and his Council expressive of the greatest satisfaction at the turn which affairs had taken. It thus seemed that the vexatious disputes had been ended.

<sup>62</sup> Sainsbury Abstracts, III, 442. [These abstracts are in manuscript volumes in the Virginia State Library.]

<sup>63</sup> Sainsbury Abstracts, III, 746.

<sup>64</sup> See p. 244.

<sup>65</sup> Sainsbury Abstracts, III, 758 ff.

<sup>66</sup> Sainsbury Abstracts, III, 808, 809.

## The Assembly of 1720-22.

### First Session.

OF the Assembly of 1720-22 there were two sessions, the first beginning the 2nd of November, 1720, and ending December 23rd, and the second beginning May 9th, 1722, and ending June 7th. Mr Daniel McCarty, speaker of the House at the preceding session, had not been returned by the sheriff of Westmoreland as elected to this Assembly,<sup>67</sup> and when on the first day of the session it became necessary for the House to choose a speaker, of the two candidates, Mr John Holloway and Mr John Clayton, both able men, the former was successful. Mr Holloway by means of successive re-elections was continued in this important position for fourteen years. He was far from being a friend of Governor Spotswood's, having in 1718 been, as he claimed, removed by Spotswood from the position of judge of the court of vice admiralty,<sup>68</sup> and was then seeking re-appointment at the hands of the Lords of the Admiralty. Mr John Clayton, an abler man and, according to Spotswood, a more honest one, had been appointed to succeed Mr Holloway on the bench. It is significant at any rate that Mr Holloway was chosen, a result suggesting a doubt that the pacification brought about between the two factions in the Colony was anything more than superficial. However, the governor, in his opening speech, laid stress on the proofs he had given of his disposition toward harmony and expressed the earnest desire that nothing more might be heard in Virginia of the "country's friends" and the "governor's friends" as designations of antagonistic parties. As for legislation, he merely gave a list of subjects on which it seemed to him that the attention of the General Assembly might well be engaged, these being the defenseless condition of the harbors and the frontiers of the Colony, the disarmed condition of the militia, the inconvenient size of several of the counties, the advisability of extending the settlements of Virginia to the mountains, and the advisability of entering into a treaty with the Five Nations.

The session was distinguished as one at which a great deal of hard work was done, public business, owing to the bickerings of the immediately preceding Assembly, having greatly accumulated. The peace which had been declared between the two factions, although it may not in reality have been characterized by sincerity, assured the transaction of this business without unseemly interruptions. Mr John Clayton, the defeated candidate for the speakership, was made chairman of the most important committee of the House, that of propositions and grievances, and to his lot fell the duty of writing the address of the House in reply to the governor's opening speech, a duty which he performed in his most graceful and satisfactory manner.

The matters suggested to the House by the governor for its attention were all carefully considered and most of them disposed of. It was represented to his majesty that a naval force was the best defense of the harbors of the country, and request was made that such ships of war as should in the future be sent over as a protection to the coast should be put under the immediate control of the governor of the Colony.<sup>69</sup> For the security of the frontiers and the extension of the settlements to the frontiers, a bill was passed erecting two new counties, Spotsylvania and Brunswick, the inhabitants of which were to be armed at public expense, and made free of public levies for ten years. Spotsylvania county was to extend across the Blue Ridge Mountains so as to contain in its limits the northern pass through the mountains, and similarly Brunswick was to extend

<sup>67</sup> After a very close contest, however, Mr. McCarty was, late in the session (Dec. 8), declared by the House to have been elected. A very interesting question decided in this case was whether the House had the right on a complaint of an undue election to inquire into the freehold of the electors. Another was whether in an election contest it was competent for the justices of the peace of the county to take the depositions. Both questions were decided in the affirmative.

<sup>68</sup> Official Letters of Alexander Spotswood, III, 353.

<sup>69</sup> See p. 261.

sufficiently far to the west to include in its limits the southern passes,<sup>70</sup> it being supposed in those days that these were the only two passes in *Virginia* through the mountains. In an address the king was requested to secure at these two passes the erection of strong forts, which were to be maintained by the crown and garrisoned each by a company of *English* troops. His majesty was also petitioned to encourage further the settlement of these two counties by remitting for ten years the payment of quit rents.<sup>71</sup> This request was finally in part agreed to by the *English* government. By an order in council dated *August* 6, 1723, it was promulgated that the Lords Justices in Council were pleased to grant a remission of the quit rents and all purchase rights for seven years from *May* 1, 1721, the time the two counties were first laid out, with the restrictions that no person possessed of land in any other part of *Virginia* should be permitted to take up land without continuing to pay quit rents for the land already owned by him, and no person or family was to be allowed to take up more than one thousand acres. As for the inconvenient length of some of the counties, acts were passed for dividing *Richmond* and *New Kent* counties, whereby *King George* and *Hanover* were formed, and an act was passed adding a part of *James City* county to *Charles City*. The erection, also, of the two new counties of *Spotsylvania* and *Brunswick*, though the motive was primarily the desire to secure the frontiers, served at the same time the purpose of rendering the counties from which these were formed more convenient in size. With the same general object in view of making the local divisions of the Colony more convenient for their inhabitants, several acts were passed for dividing parishes or for rectifying their boundaries<sup>72</sup>—matters which had for years been causes of contention both in the parishes and in the General Assembly. It was resolved that the disarmed condition of the militia be referred to the consideration of the next session of Assembly.

The preliminary articles proposed by the governor to be conceded by the Five Nations before any formal negotiations for a new treaty should be entered into were voted absolutely essential, and the governor was advised not to treat with the Indians till they assented to them.<sup>73</sup> These preliminaries had been communicated, on special request, to the House some days after the opening of the session. In course of time they were, after the Five Nations had assented to them, embraced in the act passed at the next session of Assembly (1722), entitled "An act for enforcing and rendering more effectual the treaties already made, or hereafter to be made, with foreign Indians," which act was agreed to by the Five Nations at *Albany* in *September* 1722. These preliminaries, the object of which was to prevent the Indians of the Five Nations and the Indians tributary to the government of *Virginia* from coming into any contact with each other, were merely the agreement on the part of the Five Nations that none of the members of their tribes should cross the *Potomac* River to the east of the *Blue Ridge* Mountains or traverse the territory of *Virginia* to the east of these mountains without a passport from the governor of *New York*, and that, on the other hand, no Indians of any tribe tributary to the government of *Virginia* should be allowed, without a passport from the governor of *Virginia*, to go beyond the *Potomac* River or into the country west of the *Blue Ridge* Mountains.

Of the acts passed in reference to other matters than those in the list to which the governor called the attention of the Assembly only three need special comment. The first of these had the title "An act for the better discovery and securing his majesty's quit rents." Its principal feature was that it empowered the sheriffs of the counties to designate certain places where by a fixed date payment of quit rents had to be made. In this respect it seems to have been an improvement on the law already in existence. Its other provisions seem also to have been eminently sensible.<sup>74</sup> On the ground, however, that it had a tendency to diminish the revenue and weaken the process of the crown

<sup>70</sup> Hening, IV, 77-79.

<sup>71</sup> See p. 271.

<sup>72</sup> Hening, IV, 94, 95.

<sup>73</sup> See p. 274.

<sup>74</sup> Hening IV, 79, 80.

in the recovery of forfeitures and arrears, it was disallowed by order in council in 1723.<sup>75</sup> The second act, entitled "An act explaining, and further declaring, what shall be accounted a sufficient seating and improvement to save lands from lapsing; and for the better recovery of lands lapsed from persons living out of the country,"<sup>76</sup> made still more liberal than did the act of 1713 the conditions absolving the patentee of land from further work upon it to prevent its lapsing, in that it stipulated that the clearing and fencing of three acres of the land for pasturage would save fifty from lapsing, as would the expenditure of ten pounds current money in making any improvements whatever. The third act, "An act to empower *Henry Cary*, gentleman, to finish the house of the governor of the Colony and Dominion of *Virginia*," was intended to settle finally the misunderstanding between the governor and the House of Burgesses over the erection of the governor's house. It was determined by a committee what amount would be needed to finish the building, as well as the amount that the governor had advanced out of his private purse on its construction. The former amount was appropriated by the act, and the latter was by resolution refunded the governor out of the money in the hands of the treasurer.

There were eighteen acts in all passed, of which six are given in full in *Hening* and abridgements of two others. The remaining ten are given only by title.

There was one question in reference to which the governor and the majority of the members of the two houses could not agree, namely, the appointment of a special agent to work for the granting of the requests made of the crown by the General Assembly, or, to use the language of the times, "to solicit the affairs" of the Colony in *Great Britain*. The Council and the House—only a bare majority of the latter, however, the speaker having cast the deciding vote—thought that it would be a wise step to secure for the purpose the services of Colonel *William Byrd*, who was just about to start for *England* on private business, and it seems that *Spotswood* had in conversation expressed himself as favorable to the plan. However, when the resolution came up for his official approval, he proposed the amendment, that the instructions to be given the agent should be signed by the governor and that Colonel *Byrd* should be required to give his bond to the governor not to meddle in *Great Britain* with any other affairs of the government of *Virginia* than those mentioned in the instructions.<sup>77</sup> The amendment, which shows that *Spotswood* had become suspicious, was rejected by the House. The argument carried on between the House and the governor in messages and addresses was a dignified one, however, and did not endanger the general harmony; so that in his closing speech *Spotswood* was able to express his satisfaction at the work of the session, and the hope that at the next meeting they "should accord still more and more in their sentiments." In a letter to the Board of Trade<sup>78</sup> he spoke of the appointment of *Byrd* as being the only matter which had been the occasion of any difference.

## Second Session.

In his speech at the opening of the second session of the Assembly the governor stated that the Assembly had been called together in order to see what means might be concerted for the encouragement of the people of *Virginia* in the production of all kinds of naval stores, since he had understood that the king had proposed and the *English* Parliament had resolved to enter upon measures for rendering the colonies still more useful to their mother country. He also informed the Assembly that the Five Nations of Indians had agreed to the preliminaries declared essential by the Assembly at the preceding session, and he hoped that now commissioners of distinction would be appointed to negotiate a treaty with the Indians at *Albany*. He supposed the supply asked for on this account would be the more readily granted from the money in the hands of the treasurer when the House considered the size of the expenditure

<sup>75</sup> Sainsbury Abstracts, III, 84.

<sup>76</sup> Hening, IV, 81-83.

<sup>77</sup> See pp. 299, 300, 308, 309, 313, 314.

<sup>78</sup> Sainsbury Abstracts, III, 141.

from the money in the hands of the receiver-general which by the unanimous advice of the Council had been made in erecting batteries for the security of the rivers and harbors of *Virginia* against the desperate pirates who, having a little time before destroyed the shipping in *Trepassy Bay* in *Newfoundland*, threatened to do the same in *Virginia*. The expenditures for this purpose and for holding in the past few years extraordinary courts for the trial of pirates had constituted such a drain on the established revenue that the expense of negotiating the intended treaty would have to be borne in large part by the money in the hands of the treasurer. The proposal for erecting a lighthouse at *Cape Henry*—which had been discussed at the preceding meeting of the Assembly—had been communicated to the government of *Maryland*. He closed by recommending that a quarantine measure be passed which would be effective in preventing the spread to *Virginia* of the plague, then raging in some parts of *Europe*. The papers showing what had been done in the matter of the proposed Indian treaty and the reply of the Assembly of the province of *Maryland* to the proposal for a lighthouse at *Cape Henry* were sent to the House on the same day with the delivery of the opening address.

After an exhaustive consideration of the governor's speech the House adopted on *May 17* resolutions which resulted in the passage of "An act for encouraging the making of tar and hemp,"<sup>79</sup> whereby appropriations of £1200 and £4000, respectively, were made from the money in the hands of the treasurer, for the payment of suitable premiums on the exportation of tar and hemp made in *Virginia* according to the directions of a recent act of Parliament having the title "An act giving farther encouragement for the importation of naval stores;" "An act for enforcing and rendering more effectual the treaties already made, or hereafter to be made, with foreign Indians," already described in the account given above of the proceedings of the House at the preceding session, at the same time an appropriation being made by joint resolution of the two houses of £1000 to enable the governor to conduct the negotiations at *Albany* in an effectual manner and one suitable to the dignity of the Colony; and "An act to oblige ships coming from places infected with the plague to perform their quarantine," whereby power was given the governor to adopt at any time such rules, with the advice and consent of the Council, as might seem necessary for the accomplishment of the end desired.<sup>80</sup>

It was also resolved<sup>81</sup> that the answer from the province of *Maryland* in reference to the proposed *Cape Henry* lighthouse was not sufficiently encouraging to induce the House to treat with that province further upon the subject. It was further resolved that no bounty be given upon iron cast in the Colony. From this resolution it would appear that the governor and his friends had endeavored to have a bounty put on the exportation of iron castings, the product of *Spotswood's* furnaces, the only ones in the Colony, probably on the plea that certain castings might be considered as coming under the broad head of naval stores. How far the resolution reflected the feelings of the House toward the governor and how far the honest convictions of the members as to the desirability of the measure, it is impossible to say. Certainly, judging from *Spotswood's* speech at the close of the session and from his letter of *June 11, 1722*, to the Board of Trade, he bore the House on this account no ill will that he was willing to allow to find expression. In this letter he refers to the "perfect harmony" prevailing in the government and in the country, and says that the "angry proceedings of the Assembly in 1718" were "balanced by their good agreement in 1722." His whole administration of twelve years had been approved by both houses of the Assembly; so that he hoped any former imputation upon his conduct might be set down by the members of the Board of Trade as the "effects of private passion."<sup>82</sup>

The governor's description of the harmonious feeling prevailing is warranted by the Journal; for the various addresses, messages, and speeches of the session are

<sup>79</sup> Hening, IV, 96-99.

<sup>80</sup> Hening, IV, 99-103.

<sup>81</sup> See p. 330.

<sup>82</sup> Sainsbury Abstracts, III, 37.

models of courtesy, and in more than one piece of business transacted matters were amicably arranged which for years had been causes of contention. Chief among these were the signature by the governor of the resolution passed by the House and the Council to pay Col. Byrd the £300 salary as agent first voted him in 1718<sup>83</sup> and, on the other hand, the agreement of the House to the suggestion of the Council to pay Governor *Spotfwood* the amount expended by him in his trip to *New York* in 1717 for the purpose of consulting with the governor of that colony on the subject of the Five Nations, and to give him a further sum in consideration of his recent diligence and success in bringing the Indians to assent to the preliminaries insisted on by the House at the preceding session—the whole aggregating £300.<sup>84</sup> The greatest compliment paid the governor, however, was the insistence by the House and the Council that he himself should go to *Albany* to negotiate the treaty with the Indians, in the address of the two houses to the governor the following language being used: "From the experience of near twelve years of your honor's administration we are very sensible of your great application and discerning judgment in all the concerns of government; and as we have observed more particular skill and dexterity in your managing the Indian affairs, we think it will greatly conduce to the establishing an honorable and lasting peace if your honor will be pleased to preside in the negotiations at *Albany*, by which they will be under the influence of your more immediate directions. And as we believe it will redound so much to the safety and honor of this country, we hope your honor will gratify our unanimous desire."<sup>85</sup> The whole work of the session and the spirit exhibited throughout seem beyond doubt to justify this language used by the governor in his closing speech: "Such concord and application to business, such good temper and generous disposition, and such deference to a governor's recommendation have been manifested in this session of Assembly that I cannot in justice part with you without rendering my public acknowledgment, and for my own particular must return you my thanks for what you have voted in consideration of my journey to *New York* in the year 1717, not so much valuing the quantum you have given as the regard you have now shewn to my services in those days."

In due time *Spotfwood* journeyed to *Albany* and transacted the important business which had been entrusted to him. He did not return to *Virginia* till the latter part of *October*. In the meantime he had been superseded as lieutenant governor of the Colony by Colonel *Hugh Drysdale*, who had arrived in *Virginia* on the 25th of *September*. *Drysdale*'s commission had been signed on *April* the third, more than a month before the convening of the General Assembly in the last session which it was to hold under *Spotfwood*'s administration.<sup>86</sup>

<sup>83</sup> See pp. 335, 352.

<sup>84</sup> See p. 343.

<sup>85</sup> See p. 347.

<sup>86</sup> The cause of *Spotfwood*'s removal from office has been very vaguely set forth by writers on the subject. These have stated, one following another, that his downfall was finally compassed by his old antagonists in *Virginia*, principally by the redoubtable Commissary Blair, that surplused Warwick who had already been the chief agent in the overthrow of Andros and Nicholson. This view, however, does not seem to be correct. The serious differences between *Spotfwood* and the members of his Council had been composed, each side promising that if in the future complaints were to be made to the authorities in England the other was to have full notice and a copy of the papers containing the charges. Commissary Blair, as a member of the Council, was a party to this agreement, and it is unlikely that he fought to infringe it, as he must have done had he appeared as an accuser against *Spotfwood* before the Board of Trade. The Board of Trade papers—that is, the Sainsbury Abstracts of them in the *Virginia State Library*—do not indicate that he thus appeared, though he was in England at the time of *Spotfwood*'s removal. It had already been agreed that the question as to the right of presentation to benefices should be left to the adjudication of the courts, and a resolution had been adopted by the General Assembly and assented to by the governor appropriating money to pay the costs of the proceedings (p. 301, 307). The more reasonable explanation of the removal seems rather to be found in the displeasure of the Board of Trade and the Lords Justices of the Council at the way in which *Spotfwood* had permitted the land in the new county of *Spotfylvania* to be entered for patent. Individuals had been given the right to patent vast tracts, *Spotfwood* himself through others coming into possession of thousands of acres. When the Lords Justices of the Council issued their order that the payment of the quit rents on lands in the new county be remitted for seven years, they directed that not more than one thousand acres be allowed to any one person or family. It is true that much of the land owned by *Spotfwood* in *Spotfylvania County*

The more important of the acts arising not from recommendations of the governor but from the various propositions and grievances and petitions submitted by the people were, "An act for the further improving the staple of Tobacco;" "An act for amending the act concerning servants and slaves; and for the better government of convicts imported; and for the further preventing the clandestine importation of persons out of this Colony," which from the references made to it in the Journals and in the papers of the Board of Trade—it is not given in full in *Hening*—seems to have been a wise law, rendered necessary by the hardened condition of many members of the classes to which it applied, but which, nevertheless, after a hearing before the Board of Trade at which appeared a representative of the *English* Company engaged in transporting convicts to *America*, the Board of Trade having decided that some of the clauses of the act laid importers of convict persons and the purchasers of them under such difficulties that the several laws for the transportation of felons from *Great Britain* would be obstructed, was repealed by an order in council dated *August 27, 1723*,<sup>87</sup> which was proclaimed in *Virginia* on the 18th of the following *January*,<sup>88</sup> and "An act for punishing mutinous and disobedient seamen, and for the more speedy determination of controversies arising between the crews," whose provisions, reflecting the spirit of the age, were found to be sufficiently effective to cause the retention of the law unamended in the revision of the laws taking place in 1733.

At this session of the Assembly sixteen acts were passed, of which seven are given in full in *Hening* and the remaining nine only by title.<sup>89</sup> The membership of the House, owing to the addition of the members from the two new counties of *Hanover* and *King George*, numbered fifty-six.

had been patented several years before the law was passed for the erection of the county, and that the rest, with the large tracts allowed to others, had been patented shortly after its passage, some time before the order in council was issued—the law erecting the counties was passed Dec. 23, 1720, and the order in council was not signed till Aug. 6, 1723—till the members of the English government, when it was first brought to their notice that the governor had granted to individuals large tracts of land in the new county, must have looked upon Spotswood's course as open to grave objections. Spotswood was removed more than a year before the order in council was promulgated, but the question of the remission of the quit rents had been under consideration by the Council for some time before the removal.

The question as to the cause of the removal can be conclusively settled only after a study of the unpublished papers in the English Public Record Office. The Sainsbury Abstracts, in the Virginia State Library, mainly abstracts of Board of Trade papers, are not sufficient. Nor are the abstracts of the Privy Council papers now being published in the set of volumes bearing the title "Acts of the Privy Council—Colonial Series."

<sup>87</sup> Sainsbury Abstracts, III, 86.

<sup>88</sup> *Hening*, IV, 106.

<sup>89</sup> *Hening* IV, 96—117.



## Assembly of 1723-1726.

### First Session.

OF the Assembly of 1723-26 there were two sessions, the first lasting from *May* 9th, 1723, through *June* 20th, and the second from *May* 12th, 1726, through *June* 7th. This was the only Assembly of the administration of Governor *Hugh Drysdale*, that very popular and efficient governor dying not long after the close of the second session. The membership of the House for both sessions of this Assembly numbered fifty-eight, *Spotsylvania* being now added to the list of counties having representatives. *Brunswick* was not yet represented. *Williamsburg*, having been granted a charter as a city, was represented by one member. *William* and *Mary* College, however, had no representative. Mr *John Holloway* was again chosen speaker, and later, by act of the Assembly signed by the governor, appointed treasurer.

In his courteous and dignified opening address Governor *Drysdale* laid before the Assembly the matters appearing to him to be worthy of consideration. Merely hinting that the funds in the hands of the treasurer had been so nearly exhausted by the various useful expenditures made from them that possibly the Assembly might think it necessary to lay import duties as formerly on some of the commodities coming into the country, he recommended that laws be passed for the more adequate punishment of insurrectionary slaves and for putting the militia into a better condition. Both these recommendations were the result of the recent discovery of an intended insurrection among the slaves of a certain section of the Colony. He also called attention to the languishing condition of the tobacco trade induced by the frauds and abuses that had crept into it, suggesting that he should be glad to co-operate if the Assembly could find some expedients likely to remedy the evils. He closed with expressions of congratulation that what he termed an "unnatural rebellion" against the king of *England* should by discovery have been rendered abortive. This was the plot for the overthrow of the king in which the bishop of *Rocheſter* with several others had been engaged in 1722. So few people were implicated in this plot and it was so little formidable, judging from all that may now be learned of it, that the designation of it by the governor as a "rebellion" appears to be an illustration of extreme exaggeration. It is interesting, however, as showing the nervousness of all in official circles in the reign of *George I*, for it had not been by any means decided whether the House of *Hanover* or the House of *Stuart* was permanently to possess the *English* throne. It was immediately resolved, *nemine contradicente*, by the House that an address be prepared thanking the governor for his "affectionate and obliging" speech to the Assembly and that "an humble address" of congratulations be conveyed to his majesty the king "on the seasonable discovery of the late dangerous conspiracy against his person and government." The two addresses were quickly prepared, the one to the governor being ready for delivery the following day, and the latter—in which the Council joined—being handed to the governor on the last day of the session for transmission to *England*, where it added one more to the avalanche of patriotic addresses that had been received from all parts of the *British* dominions.

All the matters referred to by the governor in his speech received adequate attention. For securing ample revenue for all the needs of the Colony which should be met by the payment of money in the hands of the treasurer, as distinguished from that in the hands of the receiver-general, the "Act for laying a duty on liquors and slaves" was passed. The duty laid on rum, brandy, and other distilled spirits, and on wine, was four pence a gallon; on cider, beer, and ale, one penny; on slaves, forty shillings each.\* The duties were to be paid by the importers. For this reason, violent opposition to the act was expressed by the merchants in *England*, especially by the *Royal*

\* See p. 379.

*African Company*. It was pointed out in the hearings given on the act by the Board of Trade that the duty would surely be shifted to the buyer, but it was maintained in reply that even if this were true the enhancement of the price of slaves would cause a much smaller number to be purchased, which would be a detriment, not only to the company, but also to the Colony, since the latter needed for its rapid expansion westward every slave that could be procured.<sup>91</sup> The final result was that the act was repealed by order in council of *April 30, 1724*,<sup>92</sup> which was proclaimed in *Virginia* on *Oct. 27* of the same year.<sup>93</sup>

The "Act for the settling and better regulation of the militia"<sup>94</sup> was a most important measure, stipulating that all free white male persons in the Colony between the ages of twenty-one and sixty, with a few exceptions, should be liable to military duty, that arms and ammunition were to be provided by each militiaman, and that general county musters should be held at least once a year and company drills at least four times a year. It also provided for penalties to be imposed on those failing to attend to their prescribed duties. The law was undoubtedly an improvement on the law for which it was substituted, but it lacked much of being an adequate one, being particularly defective in the requirement that each man furnish his own arms and in the provisions in reference to drills and musters. It did not result in the formation of an efficient militia. As a companion measure to the militia law was passed "An act for reviving the act entitled an act for security in times of danger." This was simply the revival of the act of 1712, which has been referred to in the account given of the proceedings of the House of Burgesses at the first session of the Assembly of 1712-14.<sup>95</sup>

The other permanent law resulting from the scare in reference to the outbreak of the slaves referred to in the governor's opening speech was "An act directing the trial of slaves committing capital crimes, and for the more effectual punishing conspiracies and insurrections of them, and for the better government of negroes, mulattoes, and Indians, bond or free."<sup>96</sup> It provided for the special trial, by courts to be when occasions arose specially commissioned for the purpose, without the formality of a jury, of slaves committing such offences as by law were punishable with death, the act itself putting into this class of offences the conspiracy of any company of slaves, above the number of five, to rebel or make insurrection or to commit murder. In these trials the testimony of negroes, mulattoes, or Indians, whether bond or free, was to be considered competent, those proved afterwards to have testified falsely being subject to the severest penalties. Owners of slaves were allowed to appear in their defense, but—a very wise provision—when slaves should be condemned according to this law, their owners were to be indemnified by the public. Unlawful meetings of slaves were defined, and penalties placed on the masters of slaves suffering them to be present, as also on white persons, free negroes, mulattoes, or Indians attending such unlawful meetings or harboring slaves guilty of offenses. Such were the principal provisions of the most important act passed at this session of the Assembly, an act found sufficiently effective to cause its retention, unamended, for many years to come. The slaves suspected of being engaged in the conspiracy which caused the alarm resulting in the passage of the three acts just referred to could not be legally convicted under the law as it then was, the testimony of negroes not being allowed in the courts. For this reason it was necessary to pass a special act providing that they be sent to the *West Indies* and sold.<sup>97</sup> The conspiracy of the negroes *Dick*, "*Dambara*" *Tom*, *Sancho*, *Ijaac*, *Jeffery*, and *Robin*—such were the names of the ones transported—had the further effect of causing the passage of a resolution ap-

<sup>91</sup> Sainsbury Abstracts, III, 108-113.

<sup>92</sup> Sainsbury Abstracts, III, 125.

<sup>93</sup> Hening, IV, 118. This act is not given in full in Hening, since it did not become a permanent law and is not therefore contained in the collection of laws in force in 1733, Hening's principal source for all the laws of this period. The non-appearance in Hening of many of the other laws is to be explained in the same way.

<sup>94</sup> Hening, IV, 118-126.

<sup>95</sup> See above.

<sup>96</sup> Hening, IV, 126-184.

<sup>97</sup> See pp. 367, 368, 395.

appropriating one hundred pounds in the hands of the treasurer for the repair of the arms in the magazine and the governor's house. All the transactions of the Assembly show that the alarm was widespread and genuine.

Most of the other acts passed at this session of the Assembly were local or private acts. Of those that were public acts, the "Act for the better and more effectual improving the staple of tobacco" (rendered advisable by the frauds which had crept into the tobacco trade since the repeal in 1717 of the great tobacco law of 1713), whose provisions may be only guessed at, proved of little value. It remained in effect only till the 10th of August, 1725. It was, however, continued, with amendments, in 1727, only to be repealed by the General Assembly in 1730 as having been found by experience to be inconvenient,<sup>98</sup> and to be replaced by the tobacco law passed that year, which, amended from time to time, became possibly the most important law on the *Virginia* statute books. The "Act for the better securing the payment of levies, and restraint of vagrant and idle people, and for the more effectual discovery and prosecution of persons having bastard children" was made to be temporary in its action, but was in 1727, with amendments, made permanent.<sup>100</sup> The "Act appointing a treasurer, and empowering him to receive the moneys in the hands of the late treasurer," by which Mr. *John Holloway*, speaker of the House, was appointed treasurer in the place of *Peter Beverley*, esquire, and the "Act for raising a public levy" were necessarily temporary acts. The first of them was similar to a measure usually passed whenever a new speaker of the House was elected and sometimes, as at the next session of this Assembly, when a new revenue law was passed, and the second was similar to an act usually passed each session. Owing to the peculiar conditions existing in the later years of *Spotswood's* administration, however, no election of treasurer had taken place since 1710. The "Act for enlarging the jurisdiction of the court of hustings in the city of *Williamsburg*" gave to the court (composed of the mayor, recorder, and aldermen) the power to regulate ordinaries and public houses, to hear and determine complaints of masters, servants, and apprentices, and to examine persons suspected of having committed any capital crime or other offense triable in the General Court or courts of oyer and terminer. The act also erected *Williamsburg* into a separate militia district. Of the fifteen acts passed in all, only four are given in full in *Hening*.

At this session of the Assembly the House in two interesting cases asserted its power in no uncertain manner to care for the liberties of the people and to uphold its own dignity. The first case was that of Colonel *Joseph Smith*, already referred to. In *Spotswood's* time complaint had been made of Colonel *Smith* to the House that his conduct as a militia officer, sitting as a member of a court martial, was unreasonably harsh, and contrary to the true intent of the law. After examination, the House had drawn up an address to the governor, stating that the complaint seemed well founded and asking that he, as commander-in-chief, show in some decided manner his displeasure at the proceedings. To this, *Spotswood* made reply that he would investigate the proceedings of the court martial and withdraw his commission from such officers as should appear to be transgressors.<sup>101</sup> *Spotswood* did not have time to carry out his promise before being removed from office. Col. *Smith* was one of the justices of the peace of *Effex* county, as well as the commander of the militia, and when just before the meeting of the Assembly of 1723 a session of the county court of *Effex* was held for the certification of grievances to the Assembly, he refused to sign a paper of this nature in reference to his conduct as a member of the court martial, on the ground that it was false. After he left the bench, there was no quorum. Thus the same question was presented as in the famous *Littlefield* and *Butts* case of 1715, namely, whether a justice of the peace had the right to judge of the truth or falsity of the contents of a paper setting forth a grievance presented to a court. The House, after a full hearing of the case,

<sup>98</sup> *Hening* IV, 241.

<sup>99</sup> *Hening*, IV, 247-271.

<sup>100</sup> See *Journals of the House of Burgesses of Virginia, 1727-1734, 1736-1740*, pp. 27, 52; *Hening*, IV, 208-214.

<sup>101</sup> See pp. 346, 347.

in which Col. *Smith* was represented as counsel, with the permission of the House, by *John Randolph*, clerk of the House, decided that Colonel *Smith* was "guilty of a breach of his duty" and had "intrenched upon the rights and privileges of the people."<sup>102</sup> He was, by order of the House, reprimanded by the speaker, and discharged from custody on the payment of fees. The other case was that of *William Hopkins*, charged with uttering in a public company "rude, contemptuous, and indecent" expressions concerning the conduct in the House of Burgesses of Mr *Matthew Kemp*, and thus committing a breach of privilege.<sup>103</sup> Called to the bar of the House and examined, he was adjudged guilty. When he was again called into the House to hear its decision, his manner was judged so insolent by the House that he was ordered to withdraw. It was then resolved that he should be brought to the bar and compelled upon his knees to ask the pardon of the House and of Mr *Kemp*. This he flatly refused to do. It was finally ordered that he should be led through the town, in custody of the messenger, by the door-keepers of the House, attended by the constables of the town, from the capitol to the college gate and back again, with the following inscription in large letters pinned upon his breast: "For insolent behaviour at the bar of the House of Burgesses, when he was there as an offender, and with obstinacy and contempt disobeying their order;" and in case he should refuse to walk, that he should be tied to a cart, drawn through the town and afterwards committed to the public jail in *Williamsburg*, there to be kept during the pleasure of the House. Brought by this order to an appreciation of the gravity of the situation, he sent in a paper to the House expressing his sorrow for his offense and praying mercy. He was conducted to the bar and compelled to repeat, upon his knees, a form of apology drawn up for him; after which he was discharged from custody upon the payment of fees.

### Second Session.

The first session of this Assembly had come to an end on *June 20, 1723*, the Assembly having been prorogued on that day to meet the seventh of *November* of the same year. By successive prorogations, however, it came together for its second session only on *May 12, 1726*, the governor explaining in his opening speech that these prorogations were partly due to his desire to save expense after such a loss as the country had suffered from a violent storm which had greatly injured the crops the preceding year, and partly to the fact that he had heard of no grievances in the country calling for the attention of the General Assembly; indeed, it was only because the public claims could not be paid, according to the constitution of the country, till passed upon by the General Assembly, that it was necessary even then to call that body into session. The only two matters of public business to which he called the attention of the Assembly were the imposition of a duty on liquors only, since the law passed at the last session laying a duty on both liquors and slaves had been repealed in *England* and at the same time a liquor tax recommended, and the very great desirability of voting an additional grant toward the support of *William and Mary College*. The state of his health, the governor announced, made it necessary for him to make a voyage to *England*, whence he intended, however, to return very shortly. While there it would give him the greatest pleasure "to serve so loyal, peaceable, and kind" a people as he had found during his administration the people of *Virginia* to be.

On account of the governor's enfeebled condition and his desire to set out for *England* as soon as possible, the General Assembly at this session, even at the risk of some inconvenience to the people of *Virginia* from the failure to consider questions of importance brought to the Assembly's attention in various petitions and grievances, put off till the following session the consideration of many matters, and handled with such expedition those that could not reasonably be postponed that the session lasted five days less than a month, coming to an end on the 7th of *June*. In this short period of time, however, a great deal of work was done. In addition to the many petitions, propositions, grievances, and claims which were considered by committees of the House

<sup>102</sup> See pp. 371-373.

<sup>103</sup> See pp. 381 ff.

and by the whole House, and several very important papers drawn up and passed by the House in the shape of addresses to the governor and an address and a representation to the crown—in the latter two papers and in one of the addresses to the governor the Council joining—no fewer than fourteen laws were passed, some of them of more than temporary interest. Exactly half of them are given in full in *Hening*,<sup>104</sup> and half merely by title. The first act passed, namely, "An act for laying a duty on liquors," with the second, "An act appointing a treasurer," was signed by the governor before the close of the session, in order, probably, that it might be certainly signed before the day set for it to go into effect, namely, the 10th of *June*. It was the same act which was passed at the former session of the Assembly, shorn of the section laying a duty on slaves imported, and having added a section to the effect that the sum of two hundred pounds per annum from the proceeds of the duty should be paid to the trustees of *William and Mary College*. The "Act appointing a treasurer" merely named *John Holloway* treasurer of the funds arising from the enforcement of the first law, fixed his salary and his bond, and provided how any vacancy occasioned by his death, departure from the Colony, or other legal disability, should be supplied. The next act, namely, "An act to repeal the act entitled an act directing the manner of levying executions and for relief of poor prisoners for debt and one other act to explain the said act, and to declare the law concerning executions and for relief of poor prisoners for debt," whose lumbering title, in the unpunctuated text, it is difficult to understand, gave the various legal forms to be used in cases of executions for debt and the whole law and procedure in such cases and in cases of imprisonment for debt. This act marked in the main a return to the *English* laws on the subject, the special *Virginia* acts having been found to be ineffective or even mischievous. The "Act for amending the act concerning servants and slaves, and for the further preventing the clandestine transportation of persons out of this Colony," was the only bill proposed by the Council at this session which became a law, the other bill proposed not having been accepted by the House. Its object was to deal in an effective way with runaway negroes and other servants, so as to secure their prompt return to their masters. The "Act for the more effectual preventing the bringing tobacco from *North Carolina*, and the bounds in controversy" was necessary because at that time, it seems, the planting and packing of tobacco were under no restriction whatever in *North Carolina*, and much inferior tobacco from that province was brought into *Virginia* and shipped as *Virginia* tobacco, to the great injury of the reputation of *Virginia* planters. The territory in dispute between *Virginia* and *North Carolina* should not, according to the agreement in reference to the question, have had any settlers in it at all, but it had been found impossible to keep them out, and they, too, were now sending inferior and fraudulently packed tobacco into *Virginia*. Fortunately, the dispute as to the boundary between *Virginia* and *North Carolina* was soon to come to an end, the line being settled upon by commissioners in 1728. The other acts passed at this session are not of great importance, and are sufficiently explained in their titles, with the exception of the act having the title "An act for reviving and continuing two acts of Assembly therein mentioned." The two acts revived and continued related to the defense of the country in times of danger, and were repealed by the last session of the "Act for making more effectual provision against invasion and insurrections" passed in 1727.<sup>105</sup>

At this session of the Assembly there were no unseemly disputes between the Council and the House and no occasion for the latter to assert its rights and privileges. Harmony everywhere prevailed. The serjeant-at-arms of the House, an officer making his appearance for the first time, was not called upon to make any unusual arrests or to attend to any except the merest routine duties. He was an appointee of the governor.

The address to the king congratulated him on his escape from shipwreck on his last trip from *Hanover* to *England*, prayed that his majesty would be graciously pleased, following the illustrious example set by *William and Mary*, to contribute funds towards

<sup>104</sup> *Hening*, IV, 143-181.

<sup>105</sup> *Hening*, IV, 175, 197-204.

the completion of the endowment of *William and Mary* College, and expressed great sorrow at the illness of Governor *Drysdale* and the hope for his speedy recovery. The representation set forth at great length the details of a case in which the judgment of the General Court in *Virginia* had been reversed, on appeal, by the Privy Council in *England*. This was the case of the executors of *Micajah* and *Richard Perry*, merchants of *London*, against the executors of Colonel *William Randolph* for the recovery of a debt of considerable magnitude which had, it was alleged, been accumulating for many years. The judgment of the General Court was in favor of the defendants. When the case reached the Committee for Appeals of the Privy Council, this court referred all account books, letters, papers, and writings bearing on the case to special commissioners. These having in due time reported, and all parties having been heard, the Committee recommended that the judgment of the *Virginia* court be reversed, and that judgment be entered for the appellants in £2,460 damages, to be recovered from the assets of the late Colonel *William Randolph*, and £10 costs, to be recovered, if possible, from those assets, otherwise from the property of the respondents, and it was so ordered. Complaint was made in the representation that insurance and interest had been calculated by the commissioners in a way unheard of in *Virginia*, and that the commissioners had not been required to take oath. Moreover, being merchants, they were necessarily favorable to the interests of one of their class. If the custom were to grow up of conducting appeals in this way, the king's subjects in *Virginia* would be liable to whatever charges and impositions with which their factors and correspondents in *Great Britain* might think fit to load them. Therefore his majesty was besought to establish for the future such a regular method of examining the judgments given in the highest court of the Colony as would ensure to his majesty's subjects the enjoyment of trials according to the laws and customs of *England*.<sup>106</sup>

In his closing address Governor *Drysdale* promised that he would transmit to the king at the earliest opportunity the address and the representation, and expressed his gratification at the dispatch with which the work of the session had been done, with his peculiar pleasure at the readiness and unanimity shown by the Assembly in voting assistance to *William and Mary* College. Governor *Drysdale* did not set out for *England* immediately on the prorogation of the Assembly, his health having shortly before improved to such a degree that he hoped that the voyage would prove unnecessary. He, however, died in *Virginia* on the 22nd of *July*.

<sup>106</sup> See pp. 422-424; Acts of the Privy Council of England, Colonial Series, 1720-1745, p. 71.

# JOURNAL

OF THE

# HOUSE OF BURGESSES.

AT A  
GENERALL ASSEMBLY,

Begun at her Majesty Queen ANN'S Royal  
Capitol the Twenty Second Day of *October*  
in the Eleventh year of the Reign of our  
Sovereign Lady ANN, Queen of *Great Brittain,*  
*France & Ireland,* Annoq<sup>3</sup> Domini 1712.

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RICHMOND, VIRGINIA.

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# JOURNALL

of the

## HOUSE OF BURGESSES.

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*Wednesday October the 22<sup>th</sup> 1712.*

**D**IVERS Burgeffes to the Number of Forty Nine having taken the Oaths by Law appointed and Subscribed the Teft did meet in the Houfe

*Robert Buckner* Gentleman having taken the Oaths by Law Appointed and Subscribed the Teft was by Vertue of a Commiffion from the Honourable the Liev<sup>t</sup> Governour Sworn Clerk of the Houfe of Burgeffes And Admitted to his place in the Houfe accordingly

A Meffage from the Honourable the Liev<sup>t</sup> Governo<sup>r</sup> by Mr *Robertfon*  
*Gentlemen of the Houfe of Burgeffes*

The Governour Commands your Immediate Attendance on him in the Council Chamber. Accordingly the Burgeffes went to Attend the Governo<sup>r</sup> and he was pleafed to Say to this Effect

*Gentlemen*

I am very well pleafed to See the Representatives of the people So Ready to meet me here on the day Appointed This Seems to be the greateft Appearance that hath been on the Firft day of an Affembly. I have nothing more to tell you at prefent than that You proceed to the choice of a Speaker

And thereupon the Burgeffes being Returned proceeded to the Choice of a Speaker And after the Nomination of two perfons and Some time Spent therein did Chooſe Mr *Peter Beverley* for their Speaker who was by two Members Conducted and placed in the Chair

Ordered That Mr *William Robinſon* Mr *Armſtead* Mr *Nicholas Meriwether* Mr *Christopher Robinſon* Mr *Waller* Mr *Barbar* Mr *Bolling* Mr *Littlebury Epes* Mr *Bird* Mr *ffitzhugh* Mr *ffrancis Epes* and Mr *Neal* do Attend the Governour and Acquaint him that the Houfe have made Choyce of a Speaker And to know his pleaſure when the Houfe ſhall wait on him to prefent him

Then the Houfe Adjourned Till To Morrow Morning Ten a Clock

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*Thursday October the 23<sup>th</sup> 1712.*

**M**R *William Robinſon* Reported that the perfons appointed had (according to Order) waited on the Governour and Acquainted him that this Houfe had made Choice of their Speaker And that they waited his pleaſure to know when they Should prefent him.

A Meffage from the Honourable the Liev<sup>t</sup> Governo<sup>r</sup> by Mr *Robertfon*—  
*Mr Speaker and Gent<sup>le</sup> of the Houfe of Burgeffes*

The Governour Commands the Immediate Attendance of this Houfe on him in the Council Chamber. And accordingly the Houfe went to Attend the Governour And  
being

being Returned Mr *Speaker* Acquainted the House to this Effect. That he had Represented to the Governour That the House had been pleased to make Choice of him to be their Speaker. Whereupon the Governour was pleased to Say That he was So Sincerely Disposd to Concur with the House of Burgeses in every matter which in Justice and Conscience he might that he could not but Approve of the Choice they had made of him to be their Speaker. And that thereupon in the Name of the Burgeses he humbly moved that all the Ancient Rights and priviledges of the Burgeses might be Continued to this Assembly That they and their Servants in their persons and Estates might be free from Arrests and other Disturbances That in all their Debates they might have freedom and liberty of Speech And as Occasion requires Access to his Honours person. And that thereupon his Honour was pleased to Say that all due Rights and priviledges belonging to this House should be Confirmed and Continued unto them. After which Mr *Speaker* further Acquainted the House That the Governour was pleased to make a Speech of which having a Coppy he would Read it as it was which being Read is as followeth

*Gentlemen of the Council and House of Burgeses*

I shall in a few words Declare to you the Chief Occasion of my calling you now together. Tis to Discharge the Publick Debts: Debts which when cleared will not make your Countrey One shilling the poorer Seeing they are due to none but the present Inhabitants of this Colony And for that reason methinks you Should be as uneasy as my Self So long as they remain unsatisfied

This I am Sure is as Just a Proposition And as Generall a Grievance as you can come charged with from the people: And how heartily Soever I may Recommend it to you I am perswaded that every near Witness of my Actions is fully Satisfied that no Self Interest moves me to plead for the Publick Creditors

The glorious and Advantagious Peace which you have So fair a Prospect of being Shortly happy in will I hope Incline you to pay of with Alacrity a few inconsiderable Debts And I should be glad the first business you Sat about to Dispatch was this perticuler For Such a Just beginning would give me hopes of a good Issue of this present Session of Yours

*Ordered* That the Said Speech do Ly upon the Table

*Thomas Francis Edward Dyer Andrew Elmse and George Rimington* praying to be Admitted Door keepers to the House

*Ordered* That they be accordingly Admitted And that they give their Respective Attendance on the House this Session

*Ordered* That the House be called over as often as shall be thought convenient And that those Members who Shall be wanting in their Duty of Attendance be Lyable To the Censure of the House

*Resolved* and Accordingly *Ordered*

That it be a Standing Rule of this House that Fifteen Members with the Speaker Shall be a Sufficient Number to Adjourn

A Committee for Elections and Priviledges

Mr *William Robinson* Chairman

Mr *Cary* . . . . . } Mr *Allerton*  
Mr *Nicholas Meriwether*

*Ordered* That Mr *Miles Cary* be Clerk of the Committee for Elections and Priviledges and give his Attendance Accordingly

A Committee for Publick Claims

Mr *Buckner* Chairman

Mr *Ball* . . . . . Mr *Christopher Neale*

Mr *Eskridge* . . . . . Mr *Littlebury Epes*

Mr *John Robinson* . . . . . Mr *Armistead*

Mr *Fox* . . . . . Mr *Marable*

Mr *Barber* . . . . .

The Petition of *M<sup>r</sup> Miles Cary* praying to be Admitted Clerk to the Committee of Claims being Read

*Ordered* That he be Admitted Clerk to the Said Committee And that he give his Attendance accordingly

A Committee for Propositions and Grievances

*M<sup>r</sup> Holloway* Chairman

*M<sup>r</sup> William Robinson*.....*M<sup>r</sup> Allerton*

*M<sup>r</sup> Cary*.....*M<sup>r</sup> Bolling*

*M<sup>r</sup> Christopher Robinson*.....*M<sup>r</sup> Waller*

*M<sup>r</sup> Nicho Meriwether*.....*M<sup>r</sup> Francis Meriwether*

*M<sup>r</sup> Willson*.....*M<sup>r</sup> Tully Robinson*

The House being Informed by Some of the Members thereof that *M<sup>r</sup> Clayton* is willing to Serve as Clerk to the Committee for Propositions and Grievances Therefore

*Ordered* That he be Clerk to the Committee for Propositions and Grievances And that he give his Attendance accordingly

*Ordered* That the Committees have power to adjourn themselves *De Die in Diem* And to send for present Records Journals and other Papers they shall from time to time have Occasion of

*Resolved* and accordingly *Ordered*

That all Propositions Grievances and Publick Claims be brought into the House on *Thursday* next at furthest Or not to be Received in this Session of Assembly without particular Leave of the House

*Ordered* That the Clerk of the House Publish the furthest Time Set by the House for Receiving Propositions Grievances and Publick Claims during this Session by Setting up a fair Copy of the Resolve of the House made in that behalf

*Ordered* That the Committee of Propositions and Grievances Inspect the Journals of this House at the last Session And Report to the House what they find Necessary to be taken into Consideration this Session

*Ordered* That the Committee for Publick Claims Inspect the Report of the Committee of Claims at the last Session and Report to the House what they find Necessary to be further Considered this Session

*Resolved* and Accordingly *Ordered*

That all Petitions Propositions and Grievances Directed for the last Session of Assembly And not then Considered be Admitted to the Consideration of this Session

*Ordered* That the Clerk of the House Deliver to the Chairman of the Committee for Elections and Privileges the Severall Writts for Election of Burgeesses which shall come to his hands And that the Said Committee take into their Consideration the Severall Returns thereon And make Report of their proceedings and Opinions therein to the House

Vpon the Petition of *Benjamin Goodwin* Clerk praying to be Admitted Chaplain to this House

*Ordered* That he be accordingly Admitted and Attend each Morning in the Conference Room by Nine of the Clock During this Session And Read Divine Service

Severall Propositions and Grievances from the County's of *Middlesex York* and *Surry* being read

*Ordered* That the Consideration of the Said Propositions and Grievances be Referr'd to the Committee of Propositions and Grievances to Report their Opinions therein

A Commission from the Honourable the Liev<sup>t</sup> Governour to *M<sup>r</sup> Francis Tyler* to be Messinger to the House was Read

*Robert Napier* his Claim for himself and Eleven Rangers from Henrico County was presented to the House And being Read was Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject Matter thereof And Report the Same with their Opinion therein to the House

Severall

Severall Publick Claims from the Countys of

*York* ..... *Prince George* and

*Middlesex* ..... *Effex*

Were presented to the Houfe and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject Matter thereof And Report the Same with their Opinion therein to the Houfe

*Resolved* That the Houfe will take the Governours Speech into Consideration to Morrow Morning

And then the Houfe Adjourned Till to Morrow Morning Ten a Clock

*Fryday October the 24<sup>th</sup> 1712*

**M**R *William Robinson* from the Committee of Elections and Priviledges Reported that the Said Committee had taken into Consideration the Severall Returns on the Writts Comitted to them and therein had Come to Severall Refolutions which he Read in his place And then Delivered them in at the Table where being again Read the Houfe took the Same into Imediate Consideration and with an Amendment Agreed to the Said Report as followeth

*Resolved* That Mr *John Bolling* and Mr *ffrancis Epes Junior* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Henrico*

*Resolved* That Mr *Edward Goodridge* and Mr *John Hamblin* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Prince George*

*Resolved* That Mr *John Simons* and Mr *William Grey Junr.* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Surry*

*Resolved* That Mr *Joseph Godwin* and Mr *William Bridger* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Isle of Weight*

*Resolved* That Mr *Thomas Godwin* and Mr *William Wright* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Nansfemond*

*Resolved* That Mr *Maxmilian Boush* and Mr *Thomas Walk* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Princes Ann*—

*Resolved* That Mr *William Armistead* and Mr *Nicholas Curle* are Duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Elizabeth City*

*Resolved* That Mr *William Harwood* and Mr *William Cary* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Warwick*

*Resolved* That Mr *Edward Jaquelin* is duely Returned a Burgefs to Serve in this present Generall Assembly for *James City*

*Resolved* That Mr *George Marable* and Mr *Henry Soane Junr* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *James City*

*Resolved* That Mr *Samuel Harwood* and Mr *Littlebury Epes* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Charles City*

*Resolved* That Mr *Nicholas Meriwether* and Mr *John Stamup* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *New Kent*—

*Resolved* That Mr *Henry Fox* and Mr *John Waller* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *King William*—

*Resolved* That Mr *John Holloway* and Mr *William Bird* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *King* and *Queen*

*Resolved* That Mr *Peter Beverley* and Mr *Mordicai Cook* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Gloucester*

*Resolved* That Mr *Christopher Robinson* and Mr *John Robinson* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Middlesex*

*Resolved* That Mr *Francis Gouldman* and Mr *Francis Meriwether* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Effex*

*Resolved*

*Resolved* That Mr *William Robinson* and Mr *William Thornton* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Richmond*

*Resolved* That Mr *John Waugh* and Mr *Henry Fitzhugh* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Stafford*

*Resolved* That Mr *William Ball* and Mr *Edwin Conway* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Lancaster*

*Resolved* That Mr *Richard Neal* and Mr *Christopher Neal* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Northumberland*

*Resolved* That Mr *Tully Robinson* and Mr *Richard Drumond* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Accomack*

*Resolved* That Mr *William Waters* and Mr *Charles Floyd* are duely Returned Burgeffes to Serve in this present Generall Assembly for the County of *Northampton*—

And upon Consideration of the Report of the Committee upon the Return of the Writt for the Election of Burgeffes in the County of *Yorke*

A Debate Arising. The Question was put

That the Sheriff of the Said County of *York* be Sent for in Custody of the Messinger of the House to Amend the Said Return—

*Resolved* in the Affirmative and Therefore

*Ordered* That the Sheriff of the County of *York* be Sent for in Custody of the Messinger of the House to Amend his Return made on the Writt for Election of Burgeffes for the Said County of *York* And that Mr *Speaker* Issue his Warrant accordingly

*Resolved* That the Return of the Writt for Election of Burgeffes in the County of *Norfolk* is not made according to Law. Therefore

*Ordered* That the Sheriff of the Said County of *Norfolk* be Sent for in Custody of the Messinger of the House to Amend his Return made on the Writt for Election of Burgeffes for the Said County And that Mr *Speaker* Issue his Warrant Accordingly

Upon a Motion made

*Ordered* That the Said Warrant Do not Issue Till *Tuesday* morning next

And upon Consideration of the Report of the Committee That it is the Opinion of the Said Committee That for as much as the Sheriff of the County of *Westmoreland* hath not Signed the Return of the Writt for Election of Burgeffes in that County That he be Sent for to Amend his Return. After a Debate

*Resolved* That the Report of the Said Committee be Agreed to with Amendment and Therefore

*Ordered* That the Sheriff of the Said County of *Westmoreland* be Sent for in Custody of the Messinger of the House to Amend his Return made on the Writt for Election of Burgeffes for the Said County And that Mr *Speaker* Issue his Warrant Accordingly

Upon a Motion made

*Ordered* That the Said Warrant Do not Issue untill this day Fortnight

Severall Publick Claims from the County's of

*Stafford* . . . . . *King William*

*Surry* . . . . . and

*Nanfemond* . . . . . *New Kent*

Were presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Subject matter thereof And Report the Same with their Opinions therein to the House

Severall Propositions and Grievances from the Countys of *King William* and *Nanfemond* being Read

*Ordered* That the Consideration of the Said Propositions and Grievances be Refer'd to the Com<sup>tee</sup> of Propositions and Grievances to Report their Opinion therein

The Petition of *Peter Jones* in behalf of himself and the Rangers under his Command in the County of *Prince George* Praying to be Allowed their Claims (being Read) was Refer'd to the Committee for Publick Claims to Examine the Subject matter thereof and Report the Same with their Opinion therein To the House

The Petition of *William Edmonds* Appointed Liev<sup>t</sup> of the Rangers for *Surry County* Praying to be Allowed for Severall Services in the Said Petition mentioned (being Read) was Refer'd to the Committee for Publick Claims to Examine the Subject Matter thereof and Report the Same with their Opinions therein To the House

The House (according to Order) proceeded to the Consideration of the Governours Speech which being Read and Some Time Spent in Debate

*Resolved* That a Suitable Address to the Governour be prepared to Acquaint him that this House will proceed with all Convenient Dispatch upon the matters Recommended in the Said Speech

*Ordered* That M<sup>r</sup> *William Robinson* M<sup>r</sup> *Francis Meriwether* and M<sup>r</sup> *Eskridge* prepare and bring in the Said Address

And then the House Adjourned Till To Morrow Morning Ten a Clock

*Saturday October the 25<sup>th</sup> 1712*

**M**R *William Robinson* Reported from the Committee appointed to draw up an Address (upon the Resolution yesterday) to be presented to the Governour That they had drawn up an Address accordingly Which he Read in his place And afterwards Delivered in at the Table where the Same was Read and agreed to by the House And is as followeth—

*To the Honourable Alexander Spotswood Esq<sup>r</sup> her Majesties Liev<sup>t</sup> Governor of Virginia*

*May it please your Honour*

We her Majesties most Loyall and Dutifull Subjects the Burgeffes Affsembled beg Leave to Represent to your Honour that We have had under our Consideration Your Honours Speech And that We shall proceed upon the matter Recommended therein with all Convenient Speed

We shall Justly Endeavor to Discharge and pay off all Such Debts as appear to be Due from the Country And no Inducement whatsoever shall Incline us to keep back one Penny thereof being Sincerely Desireous to Discharge the Duty of good Subjects and faithfull Representatives

*Ordered* That the Said Address be fairly Transcribed and Signed by M<sup>r</sup> *Speaker*

*Ordered* That the Persons that prepared the Said Address Together with M<sup>r</sup> *Waller* M<sup>r</sup> *Walk* M<sup>r</sup> *Tully Robinson* M<sup>r</sup> *Joseph Godwin* M<sup>r</sup> *Curle* M<sup>r</sup> *Conway* M<sup>r</sup> *Barber* M<sup>r</sup> *Armistead* and M<sup>r</sup> *Grey* present the Same to the Governor

Severall Publick Claims from the Countys of *Gloucester* and *James City* were presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject matter thereof and Report the Same with their Opinion therein to the House

The Petition of *William Randolph* for an Allowance for Four Copys of the Laws of the last Session of Assembly with Four Copys of the Journall of this House at both Meetings of that Session delivered to the Governor As also a Copy of the Said Laws Sent to the Secretarys Office And for his Service as Clerk to this House at both the Said Meetings And—

The Petition of *William Timson* to be Allowed for Attending the Three last Generall Courts and for Hanging *Elizabeth Gordon* being Severally Read

*Ordered* That the Consideration of the Said Petitions be Referr'd to the Committee for Publick Claims to Report their Opinions therein

Orders to be observed by the Members of the House of Burgeffes being Read and approved

*Ordered* That they Ly upon the Table for the Perusall of the Severall Respective Members as Occasion shall require

Mr *William Robinson* Reported That the Members appointed had according to Order attended the Governor and presented him with the Address this day Read and Agreed to by the House

A Publick Claim from the County of *King* and *Queen* was presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject matter thereof And Report the Same with their Opinion therein to the House

Severall Propositions and Grievances from the County of *King* and *Queen* being Read

Ordered That the Consideration of the Said Propositions and Grievances be Referr'd to the Committee of Propositions and Grievances to Report their Opinion therein

And then the House Adjourned Till *Munday Morning Ten a Clock*

*Munday October the 27<sup>th</sup> 1712*

SEVERALL Propositions and Grievances from the County of *Norfolk* being referr'd by the Governor and Council to the Consideration of this House were Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion therein

The Petition of *John Kimbrey* a Pentioner praying for his usuall Allowance of a Thousand pounds of Tobacco was Read and Referr'd to the Committee of Claims to Report their Opinion therein

The Petition of *James Adams* Shewing that he hath been Interpreter to the *Pamunkey* and *Chickahomony* Indians for Two years past and praying for Allowance for his Service being Referr'd by the Governor and Council to y<sup>e</sup> Consideration of this House And

The Petition of *Christopher Smith* in behalf of himselfe and Eleven men more praying an Allowance for their Service of Ranging being Referr'd by the Governor and Council to the Consideration of this House were Severally Read

Ordered That the Consideration of the Said petitions be Referr'd to the Committee for Publick Claims to Report their Opinion Therein

The Proposition of *Peter Jones* by way of Petition being Referr'd by the Governor and Council to the Consideration of this House was Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion therein

A Petition of *William Manley* was presented to the House and Read praying that Leave may be given to bring in a Bill for Sale of a Certain Tract of Entailed Land Containing about Two thousand Two hundred Acres for the Enabling him to pay his Debts Contracted for the Support of his family and Purchasing of Slaves And for Setling of Lands of greater Value [To wit] Sixteen hundred Acres which he is Seized of in fee To the Same Uses

After a Debate and Some time Spent therein the Question was put That a Committee be appointed to Examine the Allegations of the Said Petition

*Resolved* in the Affirmative and Therefore

Ordered That the Consideration of the Said Petition be Referr'd to a Committee [To witt] Mr *Holloway* Mr *Eskridge* Mr *Allerton* and Mr *Nicholas Meriwether* and that they do Examine the Allegations thereof And Report the Same to the House

And then the House Adjourned Till to Morrow Morning Ten a Clock

*Tuesday October the 28<sup>th</sup> 1712*

SEVERALL Propositions and Grievances from the Countys of *Princess Ann* and *Northampton* being Read

Ordered That the Consideration of the Said Propositions and Grievances be Referr'd to the Committee for Propositions and Grievances to Report their Opinion therein

A Petition of *Henry Briggs* was presented to the House praying the usuall praying the usuall Allowance for Serving as Interpreter the last year past And

A Petition of *Charles Kimbale* praying for Allowance as Interpreter being Referr'd by the Governor and Council to the Consideration of this House were severally Read

*Ordered* That the Consideration of the Said Petitions be Referr'd to the Committee of Publick Claims to Report their Opinion therein

Severall Publick Claims from the Countys of

*Isle of Wight*.....*Westmoreland* and

*Princes Ann*.....*Northampton*

Were presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Consider the matter thereof and Report the Same with their Opinion therein

The Messinger of the House upon the Warrant Issued by Mr *Speaker* [pursuant to an Order of this House] to take the Sheriff of *York* into his Custody to amend his Return of the Writt for Election of Burgeesses for the Said County made the Following Return  
*Viz*

October the 28<sup>th</sup>

The within Warrant was Executed this day on the body of Mr *William Pinkethman* high Sheriff of *York* County but could not bring him before the House by reason of Sicknes of body and not being able to Travell. Which Return was Read as also a Letter from the Said Sherriff presented by one of the Members of the House Praying that the Said Return might be amended by one of his under Sheriffs at the Barr of the House. After a Debate the Question was put—

That the Said Sheriff Amend his Return by one of his under Sheriffs

*Resolved* in the Affirmative

And the House being Informed that one of the under Sheriffs of *York* attended at the Door and prayed to be Admitted to amend the Said Return

*Ordered* That the Said under Sheriff be brought into the House And that he be directed to Amend the Said Return who being brought in and having amended the Return of the Said Writt withdrew. And thereupon

*Ordered* That the Said Sheriff be discharged out of Custody paying fees

Mr *Holloway* from the Committee of Propositions and Grievances Reported that the Said Committee had taken into Consideration Severall of the matters to them Referr'd And therein had agreed upon Severall Resolutions which he Read in his place and then delivered them in at the Table where being again Read The House proceeded to the Immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon a Grievance from divers Inhabitants of the County of *Surry* Arising from the Trade Carried on with the Indians And praying that a Stop may be put to that Trade

The House agreed to part of the Report of the Said Committee And to part disagreed and Thereupon

*Resolved* That a Bill be prepared for the Redressing the Said Grievance

*Ordered* That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *York* Setting forth that the Constant practice of Striking Fish with Giggs [Except the Fish called old Wives for bait] is pernicious As also of the Grievance that the Inhabitants of Towns Suffer their Horses Cattle Sheep and Hogs to go at large

The House agreed to the Report of the Said Committee *Viz*

*Resolved* That the Said Grievances be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King William* that a Ferry be Settled by Law from Mr *Thomas*

*Claibornes*



*Claibornes* over the River *Paumonkey* To Mr *Peter Tickles* in *New Kent*. After a Debate The Question was put—

That the Report of the Committee be agreed to

*Resolved* in the Affirmative. Therefore

*Resolved* That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon a Proposition from the County of *King* and *Queen* Relating to the taking Timber for repairing Bridges or for making new Ones

The House agreed to the Report of the Said Committee *Viz*ⁱ

*Resolved* That a Bill be prepared on the Said Proposition

*Ordered* That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

Vpon Consideration of the Report of the Said Committee made upon a Proposition from the Said County That a Law be made to Ascertain the fees of Sheriffs and Constables

The House Agreed to the Report of the Said Committee *Viz*ⁱ

*Resolved* That a Bill be prepared on the Said Proposition—

*Ordered* That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County that Convenient Rolling Houses be appointed by Law

The House agreed to the Report of the Said Committee *Viz*ⁱ.

*Resolved* That the Same ought to be provided for by a Bill to be prepared for that purpose

*Ordered* That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the Said County That 4000<sup>li</sup> of tobacco is Ordered to be raised in the next Levy to Defray the Charge of Entertaining the Justices with a Dinner and Wine at every Court for One Year

The House agreed to the Report of the Said Committee *Viz*ⁱ.

*Resolved* That Levying Tobacco for the purpose aforesaid is against Law.

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That a Law be made to Impower the freeholders of the Respective Parishes in the Said County to Elect Vestry men once in every Seven years

After a Debate. The Question was put That the Report of the Committee be agreed to

*Resolved* in the Affirmative Therefore

*Resolved* That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon y<sup>e</sup> Grievance from the County of *Middlesex* Setting forth That the Vestry of y<sup>e</sup> parish of *Christ Church* in the Said County have Ordered Three Churches to be built in the Said parish

The House agreed to the Report of the Said Committee with an Amendment

*Resolved* That the persons Subscribing the Said Grievance And the Vestry of y<sup>e</sup> Said parish be heard on the Subject matter of the Said Grievance before this House And that the Said Subscribers have Notice thereof And that they give Notice to the Vestrymen

*Ordered* That the persons Subscribing the Said Grievance And the Vestrymen of the Said Parish be heard on the Subject matter of the Said Grievance before this House on this Day Seven night

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the Said County That the Court of the Said County Do not Finish the Business of the Court Each Month

The Houfe agreed to the Report of the Said Committee *Vizt*  
*Resolved* That the Said Grievance be Rejected

Vpon Confideration of the Report of the Said Committee made upon the Grievance from the Said County That Slaves are not better prevented from Running away and Doing Mifchief

The Houfe agreed to the Report of the Said Committee *Vizt*.  
*Resolved* That the Said Grievance be Rejected

Vpon Confideration of the Report of the Said Committee made upon the Grievance from the Said County That the Law Declaring Slaves to be Reall Eftate is not better Explained

The Houfe agreed to the Report of the Said Committee *Vizt*.  
*Resolved* That the Said Law be Repealed

*Ordered* That it be Referr'd to the Committee of Propofitions and Grievances to prepare and bring in a Bill for Repealing the Said Law

Vpon Confideration of the Report of the Said Committee made upon the Grievance That the Forfeiture for the Concealing Tythables being all given to the Informer Frustrates the good intent of the Law

The Houfe agreed to the Report of the Said Committee *Vizt*  
*Resolved* That the Said Grievance be Rejected

Vpon Confideration of the Report of the Said Committee made upon the Propofition from the Said County That better Methods be taken for providing for poor and Impotent people

The Houfe agreed to the Report of the Said Committee *Vizt*  
*Resolved* That the Said Propofition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Propofition from the Said County That better Convenience be made for Prifoners for Debt

The Houfe Agreed to the Report of the Said Committee *Vizt*  
*Resolved* That the Said Propofition be Rejected

Vpon Confideration of the Report of the Said Committee made upon the Propofition from the Said County That the Allowances for the Attendance of Witneffes in County Courts And that the fees of Sheriffs County Court Clerks and Conftables may be Affcertained

The Houfe Agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Matters Contained in the Said Propofition may be Properly provided for in a Bill to be brought in for Affcertaining the fees of Sheriffs and Conftables before Reported Therefore

*Ordered* That the Committee of Propofitions and Grievances To whom it is Referr'd to prepare and bring in a Bill for affcertaining the fees of Sheriffs and Conftables So provide That the Matters Contained in the Said Propofition be provided for in the Said Bill

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

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*Wednesday October the 29<sup>th</sup> 1712*

**V**PON a Motion made

*Ordered* That the Warrant to take the Sheriff of the County of *Norfolk* into Cuftody and him to bring before this Houfe to Amend his Return of the Writt for Election of Burgeffes in the Said County be Staid And that the Meffinger of the Houfe do not proceed upon the Said Warrant Till *Saturday* next

The Claim of *John Broadnax* keeper of the Publick Goal was prefented to the Houfe And Referr'd to the Confideration of the Committee for Publick Claims to Confider the Matter thereof And Report their Opinion therein

And then the Houfe Adjourned Till to Morrow Morning Ten a Clock

*Thursday*

*Thursday October the 30<sup>th</sup> 1712*

**M**<sup>R</sup> *Hollway* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Severall of y<sup>e</sup> Matters to them Referr'd And therein had Agreed upon Severall Resolutions which he Read in his place And then Delivered them in at the Table where being again Read The Houfe proceeded to the Immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Nanfemond* Setting forth that the Court houle of the Said County is Situated in an Inconvenient place And praying the Same may be Removed

The Houfe Agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Perfons Representing the Said Grievance The Justices and all others who Desire to Oppose the Removing of the Said Court Houfe be heard before this Houfe on the Matter of the Said Grievance

*Ordered* That the perfons Representing the Said Grievance The Justices and all others who Desire to Oppose the Removing the Said Court Houfe be heard before this Houfe on the Eighth day of the next Seffion of Affembly

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the Line Dividing the Said County and the County of *Norfolk* may be Laid out and Ascertaind

The Houfe Agreed to the Report of the Said Committee *Vizt*

*Resolved* That it appearing that there is a Line already Set for Dividing the Said Countys The said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the County of *King William* That there is not any Provision in the Land Law for Saving Lands from Lapping for want of Seating and Planting or paying Quit Rents from Infants *Feme Coverts* Perfons of unfound mind or out of y<sup>e</sup> Country After their Severall Diffability's Removed

The Houfe agreed to the Report of the Said Committee *Vizt*

*Resolved* That a Bill be brought in to prevent Land Lapping from Infants for not Seating and planting or not paying Quit Rents Till Three Years after they come of Age

*Ordered* That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Said Bill

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Norfolk* Concerning the proving and granting Rights for taking up Land

The Houfe agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Said Grievance be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County that Incouragement be given for making Flax Hemp Cotton and Wool

The Houfe Agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Consideration of the Said Proposition be Referr'd to the next Seffion of Affembly

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the Said County Relating to the fees taken by Escheators

The Houfe agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Said Grievance be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That Shingles of Cyprefs Tar and Plank may pass at certain Rates in Tobacco for the payment of County and Parish dues

The Houfe agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Said Proposition be Rejected

Vpon

Vpon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Northampton* That old Iron is Tranſported out of this Colony

The Houſe agreed to the Report of the Said Committee *Vizi*

*Reſolved* That the Said Grievance be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Propoſition from the Said County That the County Court of every County ſhould meet but once in Two months

The Houſe Agreed to the Report of the Said Committee *Vizi*

*Reſolved* That the Said Propoſition be Rejected

And then the Houſe Adjourned Till To Morrow Morning Ten a Clock

*Fryday October the 31<sup>th</sup> 1712*

**M**R *Armistead* moving for Leave to go into the Country for Recovery of his health Leave is accordingly given him—And

*Ordered* That he Attend the Service of the Houſe on *Munday* next

The Houſe being Informed that the Meſſinger had purſuant to Mr *Speakers* Warrant Taken into his Cuſtody Mr *James Willſon* Sheriff of the County of *Norfolk* to Amend his Return of the Writt for Election of Burgeſſes for the Said County And that he Attended at the Door

*Ordered* That the Said Sheriff be brought into the Houſe And that he be directed to Amend his Said Return who being brought in and having Accordingly Amended his ſaid Return withdrew and thereupon

*Ordered* That he be Diſcharged out of Cuſtody paying fees

Mr *Buckner* from the Committee of Publick Claims Reported that the Said Committee had taken into Consideration Some of the Matters to them Referr'd And had Come to Some Reſolutions therein which were Received and Read After a Debate the Queſtion was put

That the Houſe proceede to the Immediate Consideration of the Said Report

*Reſolved* in the Affirmative And Thereupon

The Houſe Reſolved it Self into a Committee of the whole Houſe to Conſider of the Said Report And after Some time Spent therein Mr *Speaker* Reſumed the Chair And Mr *Buckner* Reported from the Committee the Reſolutions they had Directed him to Report to the Houſe which he Read in his place and afterwards Delivered in at the Table where the Same were Read and Agreed unto by the Houſe And are as follow

*Reſolved* That it is the Opinion of this Committee That the Claim of Mr *Nicholas Curle* of One hundred and Twenty One pounds Fourteen Shillings and Nine pence for Diſburſements &c on the Spie Sloop *Fanny* and *Mary* appears to be a Juſt Claim

*Reſolved* That the Opinion of this Committee That the Said Claim ought to be paid out of the Revenue Appropriated for the better Support of the Government of her Majeſties Colony and Dominion of *Virginia*

*Reſolved* That it is the Opinion of this Committee That the Claim of *Sufanna Allen* of One hundred pounds Fourteen Shillings and Eight pence for Dyeting Eighty one *French* Priſoners 53 Days And for Dyeting Twenty one *Mariens* Eight Days &c Appears to be a Juſt Claim

*Reſolved* That it is the Opinion of this Committee That the Said Claim is no Country Charge

*Reſolved* That it is the Opinion of this Committee That the Severall Claims made by the Militia of the Countys of *Prince George Surry* and *Iſle of Weight* for their Reſpective Service at *Notoway* Town on Occaſion of the Treaty with the *Tuſcarora* Indians ought not to be paid

Mr *Curle* moving for Leave to be abſent upon his extraordinary Occaſions untill *Tueſday* next Leave is Accordingly given him

And then the Houſe Adjourned Till To Morrow Morning Ten a Clock

*Saturday*

*Saturday November the 1<sup>st</sup> 1712*

**T**HE Petition of *Xpher Smith* Liev<sup>t</sup> of the Rangers in *King William* County praying to be Allowed for a House Loft in the Country's Service being Referr'd by the Governor and Council To the Consideration of this House was Read

Ordered That the Consideration thereof be Referr'd to the Committee for Publick Claims to Report their Opinion therein

*Mr Nicholas Meriwether* moving for Leave to bring in Some Claims from y<sup>e</sup> County of *New Kent* Leave was accordingly given And the Said Claims being presented to the House were Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject Matter thereof And Report the Same with their Opinion therein to the House

A Written Message from the Honourable the Liev<sup>t</sup> Governor by *Mr Robertson*  
*Mr Speaker and Gentlemen of the House of Burgeffes*

**A**MONG the Various meafures taken for preventing all manner of Trade with the *Tuscarora* Indians Proclamations have been Issued Requiring the Rangers and Inhabitants of the Frontier Countys to Seize and Secure every one of that Nation that Should presume to come within the Inhabitants And Orders given at the Same Time to the Tributary Indians to Seize in the like manner all Such as should Refort to their Towns In pursuance whereof ffour men One Woman and a Boy of the *Tuscarora* Nation were Soon after taken up by the Rangers of *Prince Georges* County And one Man by the *Notoway* Indians This was not done till the *Tuscaroras* had plainly discovered by Fourteen of their Nation Sent hither laft *March* that they did not intend to perform any of their Engagements in the Treaty made with them in *December* preceding And that they had then warning given them what Treatment they were to Expect if they Offered to come any more into this Government before they had given Satisfaction required of them for the Massacre in *Carolina*: But notwithstanding this Declaration Some of them Ventured in hither in *August* under pretence of beging for a peace and for Liberty for Some of their great men to come to *Williamsburgh* to Conclude the Same upon terms of Delivering up the Chief Murderers and giving entire Satisfaction to *Carolina* they then left Two Hostages which were to Remain untill the Return of their Deputys and the performance of Some other Conditions which they have also broke One of those Hostages made his Escape And one of the Prisoners taken by the Rangers in Since dead The Rest of the Men Remain in the Publick Goal And as their Subfiftance is a Charge to the Country I Shall be glad to know your Opinion what ought to be done with them after Such Repeated Breaches of the promise made by their Nation

*November the 1<sup>st</sup> 1712*

*A: Spotswood*

The Said Message being Read

Resolved That this House will on *Tuesday* next take the Said Message into Consideration.

A Member of the House moving for Leave to bring in a Claim of *Sufanna Allens* Leave was accordingly given The Said Claim being presented to the House was Referr'd to the Consideration of the Committee for Publick Claims to Examine the Subject matter thereof And Report the Same with their Opinion therein To the House

*Mr William Robinson* Reported that the Committee of Propositions and Grievances had [according to order] prepared Two Bills The one to pvent Trade with Indians The other to Repeal an Act Entituled *an Act Declaring The Negro Mollatto and Indian Slaves within this Dominion to be Reall Estate* And the Same were Received and Read the first time and Ordered to be Read a Second Time

Vpon a Motion made by a Member of this House That the Laws that have any Relation to the Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within*

*within this Dominion to be Reall Estate* be Inspected and Examined The House Agreed to the Said Motion

*Ordered* That it be Referr'd to Mr Soane and Mr ffrancis Epes to Inspect and Examine the Said Laws and Report what they shall think necessary thereupon

And then the House Adjourned Till *Munday* Morning Ten a Clock

*Munday November the 3<sup>d</sup> 1712*

**M**R Soane Reported from the Committee to whom the Inspection and Examination of the Laws Relating to the Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within this Dominion to be Reall Estate* was Referr'd what they found necessary thereupon.

*Ordered* That the Said Report Ly upon the Table to be Considered as Occasion shall require

Mr *Holloway* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Severall of the Matters to them Referr'd And therein had agreed upon Severall Resolutions which he Read in his place and then Delivered in at the Table where being again Read the House proceeded to the Immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon The Proposition from the County of *Princes Ann* for Establisshing the Militia of this Colony on a better foot then it now Stands and for providing the poorer Sort of people with Arms and Ammunition gratis

The House agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the proposition from the Said County That their Court day may be Altered and appointed on the first *Wednesday* of every Month

After a Debate the Question was put

That the Report of the Committee be Agreed to

*Resolved* in the Affirmative And Thereupon

*Resolved* That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the making of Flax Hemp Cotton and Wool may be Encouraged by Law

The House Agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Consideration of the Said Proposition be Referr'd to the next Session of Affembly

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the rates of all the Commodities of the Product of this Colony may be Ascertaind by Law

The House Agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That no Witneses be Summioned in any Cause Depending in any County Court before Issue Joyned on Writt of Enquiry awarded And that provision be made for taking the Testimony of Such Witneses as are about Departing the Colony

The House Agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Said Proposition be Rejected

Vpon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the Sallary of Burgeses And the Charge of Affembly's may be

be paid in Money to be Raifed by Impositions and Duty's on Goods Imported from all places Except from *Europe*

The Houfe Agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Said Proposition be Considered at the next Seflion of Affembly.

Vpon Consideration of the Report of the faid Committee made upon the Proposition from the Said County That an Addrefs be made to her Majefty Concerning obtaining Certificates of Rights for Lands

The Houfe Agreed to the Report of the Said Committee *Vizt*

*Resolved* That the Said Proposition be Rejected

A Bill to prevent Trading with Indians was Read the fecond Time And Severall Amendments were made by the Houfe to the Bill which being Twice Read were Agreed to by the Houfe

After a Debate the Queftion was put

That the Bill be Committed for further Amendments.

It paffed in the Negative

*Resolved* That the Bill with the Amendments be Ingroffed

A Bill to Repeal an Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within this Dominion to be Reall Estate* was Read the Second Time and Committed And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Tuesday November the 4<sup>th</sup> 1712*

THE Order of the Day being Read for the Houfe to take into Consideration the Governors Meffage Relating to the *Tufcarora* Indians now in the Publick Goal The houfe accordingly proceeded to the Consideration thereof And thereupon

*Resolved* That application be made to the Governor that he would be pleased to Acquaint the Houfe with the purport of the Proclamations mentioned in the Said Meffage As Also the Treatment they the *Tufcarora* Indians were to Expect if they Offered to come any more into this Government before they had given the Satisfaction required of them for the Maffacre in *Carolina* in the Said Meffage likewise mentioned And that a Suitable Addrefs to the Governor be prepared for that purpofe

*Ordered* That Mr *Soane* Mr *Allerton* and Mr *Holloway* prepare and bring in the Said Addrefs

*Resolved* That this Houfe will on *ffriday* next proceed to the further Consideration of the Said Meffage

*Resolved* That the Perfons Subfcribing the Grievance from *Middlefex* County [Seting forth that the Veftry of the parifh of *Chrift Church* in the Said County have Ordered Three Churches to be built] And the Veftry men of the Said Parifh be heard before this Houfe to Morrow on the Subject matter of y<sup>e</sup> Said Grievance

An Ingroffed Bill to prevent Trading with Indians was Read the third Time After a Debate upon the Queftion

*Resolved* That the Bill do pafs

*Ordered* That the Committee that prepared the Said Bill do carry the Same to the Council And Defire their Concurrence thereunto

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Wednesday November the 5<sup>th</sup> 1712*

A PETITION of Mr *Secretary Cock* praying to be Allowed for Twenty Seven Writts iffued out of his Office for Election of Burgeffes to Serve in this prefent Generall Affembly being Referr'd by the Council to the Consideration of this Houfe was Read

A Petition of *Chichley Corbin Thacker* praying to be allowed his usuall Allowance for Publick Services as being Clerk of the Generall Court and Secretary's Office—being Referr'd by the Council to the Consideration of this Houfe was Read

A Petition of *Bridget Minittree* Executrix of *David Minittree* Deceased praying to be Allowed for Smiths work done for the Country's use by the Said Deceased in his life time being Referr'd by the Governor and Council To the Consideration of this Houfe was Read

*Ordered* That the Consideration of the Said Petitions be Referr'd to the Committee of Claims To Report their Opinion therein to the Houfe

*Mr Soane* Reported that the persons appointed had [according to Order] prepared an Address to the Governor which he Read in his place And then Delivered in at the Table where the Same was Read and Agreed to by the Houfe And is as followeth

*To the Honourable Alexander Spotfwood her Majesties Lieut Governor of Virginia May it please your Hono<sup>r</sup>:*

We her Majesties most Loyall and Dutifull Subjects the Burgeffes Affsembled having had under our Consideration your Honours written Message of the first of *November* Wherein your Honour is pleased to tell us That after the *Tuscarora* Indians had by Fourteen of their Nation Discovered that they did not Intend to performe any of their Engagements in the Treaty made with them They had warning given them what Treatment they were to Expect if they Offered to come any more into this Governm<sup>t</sup> before they had given the Satisfaction required of them for the Massacre in *Carolina* And that Proclamations had been Issued Requiring the Rangers and Frontier Inhabitants to Seize and Secure every one of that Nation that Should presume to come within the Inhabitants In pursuance of which Certain *Tuscarora* Indians have been taken up and are now in the Publick Goal at the Charge of this Country upon which your Honour has been pleased to require our Opinion what ought to be done with them

We therefore humbly Desire That your Honour will be pleased to Acquaint us with the purport of those Proclamations mentioned in your Said Message as also what Treatment those Indians had warning to Expect by your Honours Declaration the better to Enable us to Comply with your Hono<sup>r</sup>s Demands.

*Ordered* That the Said Address be fairly Transcribed and Signed by *Mr Speaker*

*Ordered* That the Persons that prepared the Said Address Together with *Mr Newton Mr Waller Mr Conway Mr Hamblin Mr Grey Mr Bridger Mr Farquelin Mr Richard Neale* and *Mr Ball* present the Same to the Governor

A Member of the Houfe moving for Leave to bring in the Petition of *Daniel Austin* in behalf of himself and Eleven men more Leave was accordingly given him And thereupon the Same was presented to the Houfe and Read Praying to be Allowed for their Service as Rangers in *King* and *Queen* County from the Eighteenth day of *June* last past

*Ordered* That the Consideration of the Said Petition be Referr'd to the Committee for Publick Claims To Report their Opinion therein

*Mr Holloway* Reported that the Committee of Propositions and Grievances had (according to Order) prepared a Bill To Impower Surveyors of highways to take Trees To make or Repair Bridges and Highways which he presented to the Houfe And the Same was received and Read the first Time and Ordered to be Read a Second Time

*Mr Holloway* reported from the Committee To whom the Bill for Repealing an Act Entituled *an Act Declaring the Negro Molatto and Indian Slaves within this Dominion to be Reall Estate* was Committed That they had made Severall Amendments to the Bill And the Title of the Bill which they had directed him To Report to the Houfe which he Read in his place And afterwards delivered in at the Table where the Same were Twice Read and Agreed unto by the Houfe

*Ordered* That the Bill with the Amendments to the Bill and Title be Ingrossed

*Mr Holloway* Reported that the persons appointed had [according to Order] Examined the Allegations of the Petition of *William Manley* and found the Same to be true

And



And thereupon had Agreed on a Report which he Read in his place and then Delivered in at the Table where the Same was Twice Read and Agreed unto by the Houfe

*Ordered* That Leave be given to bring in a Bill According to the Prayer of the Said Petition And that the perfons appointed to Examine the Allegations of the Said Petition do prepare and bring in the Bill

A Member of the Houfe moving for Leave to bring in a Petition of *Frederick Jones* Leave was accordingly given him and thereupon the Same was prefented to the Houfe which being Read Sets forth That the Petitioner Some few years Since Did remove out of this Colony Two Negros named *Will* and *Bounce* into the Province of *North Carolina* For which Two Negros he did pay the Duty of Twenty Shillings apiece in this Govern-ment And alfo one other Negro named *Kate* born in *Virginia*. That Since the Removall of the Said Negros Four Children named *Caefar Neds Diego* and *Sue* have been born of them That the Petitioners Plantations in that Province by reafon of the frequent Hoftilities and Diforders there being totally Ruined and Destroyed he is obliged to quit his Settlements there And Defireous to Remove his Said Negros and Effects into this Colony And prays this Houfe will be pleafed to permitt him to bring his Said Negros into this Colony without paying the Duty Laid on Negros Imported here by the Law now in force.

The Houfe upon Confideration of the Said Petition

*Resolved* That the Petitioner be permitted according to the Prayer of his Petition to bring in his Said Negros into this Colony without paying Duty

*Ordered* That Mr *Holloway* Mr *Allerton* Mr *Eskridge* and Mr *Nicholas Meriwether* Carry a Coppy of this Refolve to the Council and Defire their Concurrence thereunto

The Houfe [according to Order] proceeded to the Confideration of the Subject matter of the Grievance from the County of *Middlefex* Seting forth that the Veftry of the Parifh of *Chrift Church* in the faid County have Ordered Three Churches To be built in the Said Parifh And Thereupon

*Resolved* That a Bill be brought in to Redrefs the Said Grievance

*Ordered* That it be Referr'd to the Burgeffes of *Middlefex* County to prepare and bring in the Said Bill

Upon a Motion made

*Ordered* That Leave be given to bring in a Bill to Continue an Act Entituled *an Ad for Appointing Rangers* And that the Committee of Propofitions and Grievances prepare and bring in the Bill

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Thursday November the 6<sup>th</sup> 1712*

MR *William Robinfon* Reported from the Committee of Propofitions and Grievances that they had [according to Order] prepared Two Bills The one to prevent Land Lapsing from Infants for not Seating and Planting or not paying Quit Rents untill Three years after they come of Age The other for Appointing Rolling Houfes and Publick Landings and Afcertaining the prices of Storeage And the Same were Received and Read the firft Time and Ordered to be Read a Second Time

A Bill to Impower Surveyors of High ways to Take Trees to make or Repair Bridges and Highways was Read a Second Time and Some Amendments were made by the Houfe To the Bill

*Ordered* That the Bill with the Amendments be Ingroffed

Mr *William Robinfon* from the Committee of Propofitions and Grievances Reported That the Said Committee had taken into Confideration Some of the Matters to them Referr'd And therein had Agreed upon Some Refolutions which he Read in his place and

and then Delivered in at the Table where the Same were Read The Houfe proceeded to the Immediate Confideration of the Report

And upon Confideration of the Report of the Said Committee made upon the Propofition from the County of *Princefs Ann* That a New Court Houfe Prifon Stocks and Pillory may be Erected at Some Convenient place near the Centre of the Said County

The Houfe Agreed to the Report of the Said Committee *Vizt*

*Refolved* That the Confideration of the Said Propofition be Referr'd to the next Seflion of Affembly

And upon Confideration of the Report of the Said Committee made upon the Petition of *Peter Jones* Liev<sup>t</sup> of the Rangers for the County of *Prince George* in behalf of himfelf and the Rangers under his Command praying they may be furnifhed with Ammunition at the Publick Charge or at certain Rates in Tobacco to be deducted out of their Wages And that the Petitioner may be paid for Horfes accidentally killed in the Ranging Service And that their Sallarys may be Augmented

After a Debate The Queftion was put That the Report of the Committee be Agreed to

*Refolved* in the Affirmative And Thereupon

*Refolved* That an Addition of Eight Hundred pounds of Tobacco be made to the pay of each Liev<sup>t</sup> of Rangers And an Addition of Six Hundred pounds of Tobacco to pay of each private man Employed in the Said Service over and above the pay allowed by Law

*Ordered* That it be an Inftitution to the Committee appointed to prepare and bring in the Bill to Continue an A<sup>ct</sup> Entituled *an A<sup>ct</sup> for appointing Rangers* That for the future there be yearly Added to the pay of Each Liev<sup>t</sup> of the Rangers Eight hundred pounds of Tobacco And to the pay of each private man under their Refpective Commands Six hundred pounds of Tobacco purfuant to the Refolve of this Day

An Ingroffed Bill to Repeal an A<sup>ct</sup> Entituled *an A<sup>ct</sup> Declaring the Negro Molatto and Indian Slaves within this Dominion to be Reall Eftate* And to Repeal a Clause in an A<sup>ct</sup> Entituled *an A<sup>ct</sup> for the Diftribution of Inteftates Eftates Declaring Widdows Rights to their Deceafed Hufbands Eftates And for Securing Orphans Eftates* Relating to the Third part of the Inteftates Eftate given to the Wife of the Inteftate And alfo to Repeal a Clause in an A<sup>ct</sup> Entituled *an A<sup>ct</sup> Directing the manner of granting Probates of Wills and Administration of Inteftates Eftates* Relating to the Delivery of Slaves to the perfon or perfons to whom the Same are Declared to belong by the Said A<sup>ct</sup> Entituled *an A<sup>ct</sup> Declaring the Negro Molatto and Indian Slaves within this Dominion to be Real Eftate* And alfo to Declare what part of the Eftate of perfons here after Dying Inteftate fhall be given to the Wife of Such Inteftate was Read the Third Time

*Refolved* That the Bill do pafs

*Ordered* That the Committee that prepared the Bill do Carry the Same To the Council and Defire their Concurrence thereunto

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Fryday November the 7<sup>th</sup> 1712*

THE Order of the Day being Read for the Houfe to proceed upon the further Confideration of the Governors Meffage Relating to the *Tuscarora* Indians now in the Publick Goal

*Refolved* That this Houfe will proceed to the further Confideration of the Said Meffage To Morrow

The Burgeffes of *Middlefex* [according to Order] prefented to the Houfe a Bill for making Void Certain proceedings of the Veftry of the parifh of *Chrift Church* in the County of *Middlefex* And for building a new Church in the Said parifh And the Same was Received and Read the firft Time and Ordered to be Read a Second Time

A Written Message from the Governor by Mr *Robertson* Together with Several Papers To which the Said Message doth Referr [To wit] A Copy of a Proclamation for Prohibiting all Correspondence with the *Tuscarora* Indians. A Copy of a Proclamation for a Free Trade with the Western Indians A Copy of an Order of Council prohibiting Trading with the Indians

The Governors Message To y<sup>e</sup> Houfe of Burgeffes

*Mr Speaker and Gentlemen of the House of Burgeffes*

In anfwer to your Address of *Wednesday* last I have directed Copys of the Several Orders and Proclamations prohibiting Trade with the Indians which have been published on the South Side of *James* River to be prepared for your Information I also now Acquaint you That when the Fourteen *Tuscarora* Indians mençoned in my last Message came to tell me that their Nation had performed none of their Engagements entred into *December* foregoing I Commanded them Immediately to depart this Colony And Assured them that if thereafter any of that Nation Should be found within our Inhabitants [before they had given y<sup>e</sup> Satisfaction Demanded of them for the Massacre in *Carolina*] they Should be Seized and Treated as Enemys

And accordingly I gave Orders to the Tributary Indians not only to Seize every *Tuscarora* they Should find within the Limits of this Colony But also to Stop and Carry before the next Justice any of the Inhabitants which they Should Discover going out to Trade with that Nation It is in pursuance of the Declaration I made to those *Tuscaroras* And of the Orders and Proclamation Subsequent thereunto That the Prisoners now in the Publick Goal were taken up Nevertheles I have on your Representation given directions that Care be forthwith taken that they may not perish for want of Cloaths or other Neccessary's reasonable to be given them

*Mr Speaker and Gentl of y<sup>e</sup> House of Burgeffes*

I have directed the Overseers for building the Govern<sup>r</sup>s Houfe to Lay before you their Accounts by which you may now Judge of the Computation formerly made for finishing that building

*A: Spotswood*

Which Message and Papers were Read And Ordered to Ly upon y<sup>e</sup> Table

Mr *Byrd* and Mr *Christopher Robinson* Severally moving for Leave to be Absent upon Extraordinary Occasions Leave is accordingly given them And Ordered that they Attend the Service of the Houfe on *Wednesday* next

Mr *Epes* moving for Leave to be absent on Extraordinary Occasions Leave is accordingly given him and Ordered that he Attend the Service of the Houfe on *Munday* next

A Bill to prevent Land Lapsing from Infants for not Seating and Planting or Not paying Quit Rents untill Three Years after they come of Age was Read the Second Time

After a Debate The Question was put That the Bill be Ingrossed

*Resolved* in the Affirmative And Thereupon

*Ordered* That the Bill be Ingrossed

A Bill for Appointing Rolling Houfes and Publick Landings And Ascertainning the Prices of Storeage was Read the Second Time and Committed

A Message from the Council by Mr *Robertson*

That the Council have Assented To the Resolve of this Houfe of *Wednesday* Last for the permitting *Fredrick Jones* to bring Some Negros from *North Carolina* into this Government without Paying Duty

A Member of the Houfe moving for Leave to bring in the Petition of *Francis Wright* Sheriff of *Westmoreland* Leave was accordingly given And the Same being presented to the Houfe was Read Praying that he may be Admitted to Amend his Return of the Writt for Election of Burgeffes for the Said County of *Westmoreland* by his under Sheriff he being Sick and unable to Travell. And y<sup>e</sup> Houfe being Informed that one *William Davis* his under Sheriff Attended at the Door

*Ordered*

*Ordered* That the Said under Sheriff be brought into the House And that he be directed to amend the Said Return who being brought in And having Amended the Return of the Said Writt withdrew And Thereupon

*Ordered* That the Said Sheriff be Discharged paying Fees

An Ingrossed Bill to Impower Surveyors of Highways to take Trees to make or Repair Bridges and Highways was Read the third Time

*Resolved* That the Bill Do pass

*Ordered* That the Committee that prepared the Bill do Carry the Same to the Council and Desire their Concurrence thereunto

And then the House Adjourned Till To Morrow Morning Ten a Clock

*Saturday November the 8<sup>th</sup> 1712*

SOME Accounts prepared by the Overseers for building the Governors House Relating to the Said Building being presented to this House were Received And upon a Motion made

*Ordered* That the Said Accounts Ly upon the Table

The Order of the Day being Read the House proceeded to the further Consideration of the Governors Message of the first of this Month relating to the *Tuscarora* Indians now in the Publick Goal Which Message and the Severall Papers therein Referr'd to were Read

And after a Debate And the Question put

*Resolved* That it is the Opinion of this House that the Hostage And all the *Tuscarora* Indians taken by the Rangers and the *Notoway* Indians be Sent and Delivered up to the Government of *North Carolina* To be there dealt with all as that Government Shall think fit

*Ordered* That the Subject Matter of this Resolve be put in a Suitable Address And Sent up to the Governor As an Answer to his Said Message

*Ordered* That Mr *William Robinson* and Mr *Eskridge* prepare and bring in the Said Address

A Bill for making void Certain Proceedings of the Vestry of the parish of *Christ Church* in the County of *Middlesex* And for building a New Church in the Said parish was Read the Second Time And an Amendment was made by the House To the Bill

*Ordered* That the Bill with the Amendment be Ingrossed

An Ingrossed Bill to prevent Land Lapsing from Infants for not Seating and Planting or not paying Quit Rents untill Three years after they come of Age was Read the Third Time

*Resolved* That the Bill do pass

*Ordered* That the Persons that prepared the Bill Do Carry the Same to the Council and Desire their Concurrence thereunto

Mr *Hamblin* moving for Leave to be Absent upon his Extraordinary Occasions untill *Tuesday* next Leave is Accordingly given him

Mr *Buckner* from the Committee for Publick Claims Reported That the Said Committee had taken into Consideration the Severall Claims to them Referr'd And therein had agreed upon Severall Resolutions which they had Entred into a Book called the Book of Reports of the Committee for Publick Claims which he presented to the House And the Same was Received

*Ordered* That the Said Book be considered on *Munday* next

And then the House Adjourned Till *Munday* Morning Ten a Clock

*Munday*

*Munday November the 10<sup>th</sup> 1712*

**M**R *Holloway* Reported from the Committee to whom the Bill for Appointing Rolling Houfes and Publick Landings and Ascertainning the Price of Storeage was Committed That they had made Severall Amendments To the Bill which they had directed him to Report to the Houfe which he Read in his place and afterwards Delivered in at the Table where the Same were Read and Agreed unto by the Houfe

*Ordered* That the Bill with the Amendments be Ingroffed

Vpon a Motion made by a Member of the Houfe *Henry Cary* Some time Overfeer for Building the Governor's Houfe hath Leave to Lay before this Houfe his Accounts Relating to the Said Building And the Same was Received

*Ordered* That the Said Accounts Do Ly upon the Table

Mr *Holloway* Reported from the Committee of Propofitions and Grievances That they had [according to Order] prepared a Bill to Continue an Act Entituled *an Act for Appointing Rangers and for Encreafing their pay* which he prefented to the houfe and the Same was Received and Read the firft Time And Ordered to be Read a Second Time

Mr *Holloway* Reported that the perfons Appointed had [according to Order] prepared a Bill to Enable *William Manley* Gent to Sell and Difpofe of Certain Entailed Lands and Tenements Lying in the County of *Westmoreland*—On Settling other Lands and Tenements Lying in the Said County of which he is Seized in fee To the Same Ufes which he prefented to the Houfe And the Same was Received and Read the firft Time And Ordered to be Read a Second Time

An Ingroffed Bill for making Void Certain proceedings of the Veftry of the Parifh of *Chrift Church* in the County of *Middlefex* And for building a New Church in the Said parifh was Read the Third Time

*Resolved* That the Bill do pafs

*Ordered* That the Perfons that prepared the Bill Together with the Burgefles of *Effex Lancafter* and *Northumberland* Do carry the Same To the Council and Defire their Concurrence thereunto

*Ordered* That the Confideration of the Severall Accounts Laid before this Houfe by the Overfeers for building the Governors Houfe be Referr'd to the Committee for Publick Claims And that they Infpect and Examine the fame And Report ther Opinion therein to the Houfe

The Houfe [according to Order] proceeded to the Confideration of the Book of Reports of the Committee for Publick Claims. And part thereof being Read was Agreed unto by the Houfe with Some Amendments

*Ordered* That the Said Book be further Confidered To Morrow

And then the Houfe Adjourned Till to Morrow Morning Ten a Clock

*Tuesday November the 11<sup>th</sup> 1712*

**T**HE Houfe [according to Order] proceeded to the further Confideration of the Book of Reports of the Committee for Publick Claims And Some other part thereof being Read was Agreed unto by the Houfe with fome Amendments

*Ordered* That the Said Book be further Confidered To Morrow

Mr *Bolling* Moving for Leave to be Abfent from the Service of the Houfe On his Extraordinary Occafions Till *Saturday* next Leave is accordingly given him

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Wednesday*

*Wednesday November the 12<sup>th</sup> 1712*

**M**R *William Robinson* Reported That the Committee of Propofitions and Grievances had [according to Order] prepared a Bill for Setling and Afcertaining the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Conftables And the Allowance of Witneffes Attending in County Courts and before a Juftice which he prefented to the Houfe And the Same being Received was Read the firft Time And Ordered to be Read a Second Time

A Member of this Houfe Moving that Mr *Buſh* may have Leave to go into the Country for Recovery of his Health Leave is accordingly given him And Ordered That he attend the Service of the Houfe as ſoon as the State of his Health will permit him

A Meſſage from the Council by Mr *Robertſon*

That the Council have made Severall Amendments to the Bill to Impower Surveyors of Highways to take Trees to make or Repair Bridges and Highways To which they Deſire the Concurrence of this Houfe

*Ordered* That the Bill and Amendments do Ly upon the Table to be Conſidered when the Houfe Shall think fit

The Houfe [according to Order] proceeded to the further Conſideration of the Book of Reports of the Committee for Publick Claims And the Same was Read over

Then the Houfe proceeded to take into Conſideration the Allowances for the Reſpective Officers That have Attended this And the laſt Seſſion of Affembly And the Said Allowances being Agreed on by the Houfe were Added to the Book of Claims

*Ordered* That the Said Book be Committed to Mr *Marable* and Mr *John Robinson* for Amendments

A Bill to Continue an Act Entituled *an Act for appointing Rangers and for Encreaſing their Pay* was Read the Second Time and an Amendment was made by the Houfe To the Bill

*Ordered* That the Bill with the Amendment be Ingroffed

A Bill To Enable *William Manley* Gent To Sell and Diſpoſe of Certain Entailed Lands and Tenements Lying in the County of *Westmoreland* On Setling other Lands and Tenements Lying in the Said County of which he is Seized in fee to the Same Viſes was Read the Second Time And Some Amendments were made by the Houfe To the Bill

*Ordered* That the Bill with the Amendments be Ingroffed

An Ingroffed Bill for Appointing Rolling Houſes and Publick Landings And Afcertaining the Prices of Storeage was Read the Third Time

*Reſolved* That the Bill do paſs

Mr *William Robinson* Reported that the Perſons appointed had [according to Order] prepared an Addreſs to the Governor As an Anſwer to his Meſſage on the firſt of this Month which he read in his place and then Delivered in at the Table where the Same was again Read and Agreed unto by the houſe And is as followeth

*To the Honourable Alexander Spotſwood Eſq<sup>r</sup> her Majesties Liev<sup>t</sup> Governo<sup>r</sup> of Virginia*

*May it pleaſe your Honour*

We her Majesties moſt Loyall and Dutifull Subjects the Burgeſſes Affembled Take Leave humbly to Repreſent to your Honour That after a further Conſideration of your Honours Meſſage of the firſt of this Month And a Due Regard had to the Severall Circumſtances of the Indians therein mentioned We are of Opinion that the Hoſtage and all the *Tuſcarora* Indians taken by the Rangers and the *Notoway* Indians be Sent and Delivered up to the Government of *North Carolina* To be there dealt with all as that Government ſhall think fit

*November 12<sup>th</sup> 1712*

*Ordered*

Ordered That the Said Addrefs be fairly Transcribed and Signed by Mr *Speaker* And that Mr *Eskridge* Mr *Ball* Mr *Harwood* of *Warwick* Mr *Gouldman* Mr *Bridger* Mr *Walk* Mr *Thomas* Mr *Godwin* Mr *Grey* Mr *Mary Cary* Mr *Fitzhugh* Mr *Waller* and Mr *Waters* Do present the Same to the Governor

And then the House Adjourned Till To Morrow Morning Ten a Clock

*Thursday November the 13<sup>th</sup> 1712*

A N Ingrossed Bill To Enable *William Manley* Gent<sup>le</sup> To Sell and Dispose of Certain Entailed Lands and Tenements Lying in the County of *Westmoreland* On Setling other Lands and Tenements Lying in the Said County of which he is Seized in ffee To the Same uses was Read the Third Time And a Small Amendment was made by the House To the Bill

*Resolved* That the Bill do pass

An Ingrossed Bill to Continue an Act Entituled *an Act for Appointing Rangers and for Encreasing their pay* was Read the Third Time And Some Amendments were made by the House To the Bill

*Resolved* That the Bill Do pass

The House proceeded to take into Consideration the Amendments propofed by the Council to the Bill Entituled *an Act To Impower Surveyors of Highways to take Trees to make or Repair Bridges and Highways* And the Same being Read part of the Said Amendments were Agreed unto and part difagreed unto

Ordered That the Committee of Propofitions and Grievances Do Carry the Ingrossed Bills that have passed the House To the Council And Desire their Concurrence thereunto And that they Acquaint the Council That the House have Agreed to part of their Amendments propofed To the Bill Entituled *an Act to Impower Surveyors of Highways to take Trees to make or repair Bridges and Highways* And to part have Difagreed And Desire their honours to Assent to the Bill with the Amendments agreed unto by the House

A Message from the Governor by Mr *Robertson*

Mr *Speaker*

The Governor Commands the Immediate Attendance of this House on him in the Council Chamber

Accordingly Mr *Speaker* with the House went to Attend the Governor And being Returned Mr *Speaker* Reported as followeth

*Gentlemen*

I am to Acquaint you that According to the Governor's Command We have been to Attend him in the Council Chamber That there he was pleased to make a Speech of which having a Copy I fhall not trust to my Memory to Report the Contents of it but Read it as it is And he Read the Same To the House as followeth *Vizt*

*Gentlemen of the Council and House of Burgeffes*

I am Confident that never was a Speech made to an Assembly of *Virginia* with more Concern than this which I am now about delivering to you And I hope you will Consider and answer it as becomes Christians and fellow Subjects

Last Night I Recieved an Addrefs from the Generall Assembly of *North Carolina* Representing their Condition to be the most miserable that ever people groaned under and earnestly Supplicating this Government to afford them Some Speedy Affittance to Rescue their Country from the Rage of the Heathen

No less than three bloody Massacres hath that Poor Province felt within the space of a year Together with the daily Incurfions of a Barbarous Enemy who still Continues upon all Occasions to burn their Houses Destroy their Stocks Butcher their Men and Women And Lead their Children into Captivity

Such

Such frightfull Calamitys having caufed the Inhabitants there to be Generally more Sollicitous about Securing their perfons than Saving their Subftance that Colony is thereby reduced to Extream Poverty And as great Numbers of thofe who went out to War have been killed or difabled And many Men withdrawn themfelves into more peaceable Dominions That Government is now Rendered Incapable of Raifing a force to Defend the Country any longer

Vnder thefe Deplorable Circumftances your neareft Neighbours your Brother Chriftians and your Fellow Subjects Send hither for Succour Imploring you by all the Ties of Chriftianity and all the Ties of Humanity to help to Stop the Defolation of their Country And Save their Wretched ffamilys from the mercilefs fury of the Heathen

I could very largely Set it forth that you ought to Aid all Such of her Majefties Plantations in thefe parts as happen to be in diftrefs but I find my own heart So Sencibly touched at the Miferys I have been Treating of that I cannot Suppofe yours will Remain unmoved by the prefent Supplications of your Oppreffed Brethren And therefore I fhall forbear All Arguments of Duty and Intereft till I know your Refolutions hereupon which I defire may with all Convenient Speed be declared becaufe the Generall Affembly of *North Carolina* waits with Impatience To learn the Refult of this their Second Application hither

A Meflage from the Governour by Mr *Robertfon*

Mr *Speaker*

I am Commanded by the Governor To lay before this Houfe the Representation And Addrefs of the Generall Affembly of *North Carolina* To the Governor of *Virginia* And the Same was Received and Read

*Resolved* That this Houfe will To Morrow proceed to the Confideration of the Governor's Speech of this Day And the Said Representation and Addrefs

A Bill for Setling and Afcertaining the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Conftables And the Allowances of Witneffes Attending in County Courts And before a Juftice was Read a Second Time and Committed to a Committee of the whole Houfe

*Resolved* That this Houfe will To Morrow Refolve it Self into a Committee of the whole Houfe upon the Said Bill

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Fryday November the 14<sup>th</sup> 1712*

THE Houfe [according to Order] proceeded to the Confideration of the Governors Speech yesterday And the Addrefs from *North Carolina* mentioned in the Said Speech

*Resolved* That a Conference be defired with the Council upon the Subject Matter of the Said Speech and Addrefs

*Ordered* That Mr *Holloway* Mr *William Robinson* Mr *John Robinson* Mr *Soane* Mr *Conway* Mr *Allerton* Mr *Nicholas Meriwether* and Mr *Thornton* forthwith wait upon the Council And defire the Said Conference And they being Returned Mr *Holloway* Reported That they had accordingly waited on the Council and Defired the Said Conference

A Meflage from the Council by Mr *Robertfon*

Mr *Speaker* and Gent<sup>ls</sup> of the Houfe of Burgefles

I am Commanded by the Honourable Council to Acquaint you That their Hon<sup>rs</sup> have Agreed to the Conference defired by this Houfe upon the Subject matter of the Governors Speech And the Addrefs mentioned in the Said Speech And have Appointed Three of their Members to Meet Such a Number of the Burgefles as this Houfe Shall think



think fit And that the Managers for the Council are now ready in the Conference Chamber And Thereupon

Mr Holloway.....Mr Allerton  
Mr W<sup>m</sup> Robinson.....Mr John Robinson  
Mr Eskridge.....Mr Nich<sup>o</sup> Meriwether

Were appointed Managers for the Houfe in the Said Conference and Ordered forthwith to Attend the Council at the place appointed And they being Returned Mr Holloway Reported the Subject matter of the Said Conference And gave in at the Table Three Letters from *North Carolina* Directed to the Governor of *Virginia* [Delivered to them by the Council] Relating to the Subject matter of the Conference And that they have Adjourned the Conference for an Hour And the Same Letters were Read

Mr Harwood of *Charles City* Moving for Leave To be absent from the Service of the Houfe upon his Extraordinary Occasions on *Munday* and *Tuesday* next Leave is accordingly given him

Mr Littlebury *Epes* moving for Leave to be Absent Till *Tuesday* next upon his Extraordinary Occasions Leave is Accordingly given him

Mr Eskridge moving for Leave to be absent on his Extraordinary Occasions Leave is accordingly given him And Ordered that he Attend the Service of the Houfe on next *Munday* Sevensnight

The Order of the day being Read

Resolved That this Houfe will To Morrow Resolve it Self into a Committee of the whole Houfe upon the Bill for Setling and Ascertaining the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Connftables And the Allowances of Witneffes Attending in County Courts and before a Juftice

Mr Marable Reported from the Committee To whom the Book of Reports of the Committee for Publick Claims was Committed That they had Inferted Some Amendments in the Said Book

Resolved That the Houfe doth Agree to the Book with the Said Amendments

Ordered That the Committee for Publick Claims Do Carry the Said Book to the Council and Defire ther Concurrence thereunto

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Saturday November the 15<sup>th</sup> 1712*

MR Holloway acquainted the Houfe that the Managers for this Houfe had yesterday a further Conference with the Managers for the Council upon y<sup>e</sup> Subject Matter of the Governors Speech And the Address of the Generall Affembly of *North Carolina* mençoned in the Said Speech And Reported to the Houfe the Subject Matter of the Said Conference and Thereupon

Resolved That this Houfe doth Agree to Lend to the Government of *North Carolina* the Nine Hundred Yards of Duffells Desired by that Government

Resolved That this Houfe will Affist *North Carolina* in its present Distrefs further than by Lending of Duffells

Resolved That the Sum of One thousand pounds be Raifed for the Affiftance of *North Carolina* in its present Distrefs

Resolved That the Said Thousand pounds be put into the Hands of the Governor of this Colony To be by him Difpofed and Laid out as he fhall think beft for the Service and Affiftance of *North Carolina* in their Distrefs

Resolved That an Address to the Governor be prepared on the Subject Matter of the preceding Resolves as an Answer to the Governor's Speech

Ordered That Mr Holloway Mr William Robinson and Mr Allerton prepare and bring in the Said Address

*Ordered*

Ordered That the persons appointed to draw the Addrefs wait on the Council and Acquaint their Honours that this Houfe hath Agreed upon Refolutions for the Affiftance of *North Carolina* And hath Ordered an Addrefs to the Governor to be prepared upon the Said Refolutions in which Addrefs when prepared this Houfe Shall Defire their Honours to Joyne

A Meflage from the Council by Mr *Robertfon* That the Council have Agreed to the Bill Entituled *an A<sup>d</sup> to Continue an A<sup>d</sup> Entituled an A<sup>d</sup> for Appointing Rangers And for Encreafing their pay* without any Amendments

Also that the Council have Agreed To the Bill Entituled *an A<sup>d</sup> to prevent Land Lapping from Infants for not Seating and Planting or not paying Quit Rents untill Three years after they come of age* with Severall Amendments To which they defire the Concurrence of this Houfe

Also that the Council have agreed To the Bill Entituled *an A<sup>d</sup> to Enable William Manley Gent<sup>le</sup> To Sell and Difpofe of Certain Entailed Lands and Tenements Lying in the County of Weftmoreland on Setling other Lands and Tenements Lying in the Said County of which he is Seized in ffee To the Same ufes* with an Amendm<sup>t</sup> To which the Council Defire the Concurrence of this Houfe

Also that the Council doth Adhere to their Amendments propofed to the Bill Entituled *an A<sup>d</sup> to Impower Surveyors of Highways To take Trees to make or Repair Bridges and Highways*

Also that the Council have paffed Two Bills [To wit] *an A<sup>d</sup> to prohibit all Trade with the Tufcarora and other Indians Concerned in the late Maffacre in North Carolina And for the better Regulating the Indian Trade*

And an A<sup>d</sup> *declaring what Shall be Accounted a Sufficient Seating and Planting of Lands hereafter to be Taken up and Patented* To which they defire the Concurrence of this Houfe

Ordered That the Burgefles of *Princes Ann Nanfemond* and *Ifle of Wight* Countys do wait upon the Governor and Defire him to Ifsue out a New Writt for the Election of a Burgef to Serve in this prefent Affembly for the County of *Norfolk* in the Room of Mr *Francis Willfon* Deceased

Mr *Stanup* Mr *John Robinson* and Mr *Joseph Godwin* Severally moving for Leave to be Abfent from the Service of the Houfe Till *Tuesday* next upon their Extraordinary Occafions Leave is accordingly given them

The Order of the Day being Read

Resolved That this Houfe will on *Munday* next at Twelve a clock Refolve it Self Into a Committee of the whole Houfe upon the Bill for Setling and Afcertaining the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Conftables And the Allowances of Witneffes attending in County Courts and before a Juftice

The Houfe proceeded to take into Confideration the Amendments Adhered to by the Council propofed to the Bill Entituled *an A<sup>d</sup> to Impower Surveyors of Highways to take Trees to make or Repair Bridges and Highways* and Thereupon

Resolved That this Houfe doth Adhere to the Bill and Amendments agreed to be made by the Houfe to the Bill only.

The Houfe proceeded to the Confideration of the Amendments propofed by the Council To the Bill Entituled *an A<sup>d</sup> to prevent Land Lapping from Infants for not Seating and Planting Or not paying Quit Rents untill Three years after they come of age* And the Same being Read were agreed unto by the Houfe and made in the Bill

The Houfe proceeded to the Confideration of the Amendments Propofed by the Council to the Bill Entituled *an A<sup>d</sup> to Enable William Manley Gent<sup>le</sup> to Sell and Difpofe of Certain Intailed Lands and Tenements Lying in the County of Weftmoreland On Setling other Lands and Tenements Lying in the Said County of which he is Seized in ffee To the Same ufes* And the Same being Read were agreed unto by the Houfe and made in the Bill

Ordered

*Ordered* That the Committee of Propositions and Grievances do Carry To the Council the Bills and Amendments propofed by the Council To the Same Bills And this Day agreed to by the Houfe And Acquaint their Honors that the Bills are Amended according to the Amendments by them Propofed

An Ingroffed Bill from the Council Entituled *an Act prohibiting all Trade with the Tuscarora and other Indians Concerned in the Late Maffacre in North Carolina And for the better Regulating the Indian Trade*

Alfo an *Act Declaring what fhall be Accounted a Sufficient Seating and Planting of Lands hereafter To be taken up and Patentied* were Read the firft Time And Ordered to be Read a Second Time

And then the Houfe Adjourned Till *Munday Morning Ten a Clock*

*Munday November the 17<sup>th</sup> 1712*

A MESSAGE from the Council by Mr *Robertfon*  
Mr *Speaker*

I am Commanded by the Council to Return the Bill Entituled an *Act to prevent Land Lapping from Infants for not Seating and Planting Or not paying Quit Rents untill Three years after they come of Age*

Alfo the Bill Entituled an *Act To Enable William Manley Gent to Sell and Dispose of Certain Entailed Lands and Tenements Lying in the County of Westmoreland On Selling Other Lands and Tenements Lying in the Said County of which he is Seized in ffee To the Same uses* And to Acquaint this houfe that their Honors have Examined the Said Bills with the Amendments Inferted And have paffed the Same as amended

Vpon a Motion made

*Ordered* That a Bill be brought in for Continuing an *Act Entituled an Act for Security and Defence of the Country in Time of Danger* And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

An Ingroffed Bill from the Council Entituled an *Act To prohibit all Trade with the Tuscarora and other Indians Contained in the Late Maffacre in North Carolina And for the better Regulating the Indian Trade* was Read the Second Time And after a Debate the Queftion was put that the Bill be Read a Third Time

It paffed in the Negative

Mr *Holloway* Reported That the perfons appointed had [according to Order] prepared an Addrefs to the Governor on the Subject Matter of the Refolves of the fifteenth Infant As an Anfwer to the Governor's Speech of the 13<sup>th</sup> Infant which he Read in his place And then Delivered in at the Table where the Same was Read and Agreed unto by the Houfe

*Ordered* That the perfons that prepared the Addrefs Together with Mr *Waller* Mr *Francis Meriwether* Mr *Waters* Mr *Waugh* Mr *Byrd* Mr *Gouldman* Mr *Bridger* Mr *Wright* and Mr *Harwood* Do Carry the Same To the Council and Defire their Honours to Joynt therein

An Ingroffed Bill from the Council Entituled an *Act Declaring what Shall be Accounted a Sufficient Seating and Planting of Lands hereafter to be taken up and Patentied* was Read the Second Time And after a Debate The Queftion was put That the Bill be Read a Third Time

It paffed in the Negative

The Houfe [according to Order] Refolved it Self into a Committee of the whole Houfe upon the Bill For Setling and Afcertaining the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Conftables And the Allowances of Witneffes Attending the County Courts and before a Juftice. And After Some Time Spent therein Mr *Speaker* Refumed the Chair And Mr *Holloway* Reported from the Committee That they had

had made Some Progrefs in the Bill And had directed him to Move That they may have Leave to Sit again

*Resolved* That this Houfe will To Morrow Refolve it Self into a Committee of the whole Houfe to Confider further of the Said Bill

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Tuesday November the 18<sup>th</sup> 1712*

**A** MESSAGE from the Council by Mr *Robertson* That the Council have made Severall Amendments To the Addrefs to the Governor Sent up yefterday by this Houfe for their Honours Concurrence To which Amendments they Defire the Concurrence of this Houfe—

Alfo that the Council have made Severall Amendments to the Bill Entituled *an Act for appointing Rolling Houfes and Publick Landings and Afcertaining the Prices of Storage* And Defire the Concurrence of this Houfe thereunto

The Houfe proceeded to the Immediate Confideration of the Amendments propofed by the Council To the Addrefs And the Same were Read And to part of the Said Amendments the Houfe Agreed And to part Difagreed And made a New Amendment To the Addrefs

*Ordered* That the perfons that Carried up the Addrefs yefterday Do forthwith carry the Said Addrefs To the Council and Acquaint them That the Houfe have Agreed to part of their Amendments And to part have difagreed And have propofed a New Amendment To the Addrefs and Defire their Concurrence thereunto

A Meffage from the Council by Mr *Robertson*

That the Council Do not Infift upon Such of their Amendments to the Addrefs as are difagreed unto by this Houfe and Likewise that they have Agreed unto the New Amendment propofed by this Houfe To the Said Addrefs

*Ordered* That the perfons that carried the Said Addrefs To the Council Do again Carry the Same To their Honours for their View the Same being Amended as Agreed by their Honours and this Houfe

A Meffage from the Council by Mr *Robertson*

That the Council are Satisfied that the Amendments Agreed unto are truly Inferted in the Addrefs And Defire that the Same may be fairly Tranfcribed in Order to its being prefented to the Governor

Alfo a Written Meffage from the Council by Mr *Robertson* which was Read as followeth

*Mr Speaker and Gent<sup>s</sup> of the Houfe of Burgefles*

The Council being Apprehenfive That there is not So Great a Quantity of Duffells in this Country as the Nine hundred yards agreed to be furnifhed to the Government of *North Carolina* propofe that So much as fhall fall Short of that Quantity may be Supplied by other Courfe Woollens to the Same Value which will Render that Charitable Loan the more Effectuall for the Relief of thofe poor People

*November 18<sup>th</sup> 1712*

*Resolved* That this Houfe doth Agree to the Said Meffage

*Ordered* That the Addrefs To the Governor be fairly Tranfcribed and Signed by Mr *Speaker*

*Ordered* That the Perfons that Carried the Addrefs to the Council for their Concurrence Do now Carry the Same to the Council for their Signing

*Resolved* That this Houfe will To Morrow Refolve it Self into a Committee of the whole Houfe to Confider further of the Bill for Setling and Afcertaining the Fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Conntables and the Allowances of Witneffes attending in County Courts and before a Juftice

A Message from the Council by Mr *Robertson*

That the Council have Signed the Address And that this House may take their own Time for presenting it to the Governor And the Address is as followeth

*To the Honourable Alexander Spotswood her Majesties Liev' Governor of Virginia May it please your Honour*

We her Majesties most Dutifull and Loyall Subjects the Council and Burgeesses now Assembled having with the Deepest Concern Reflected on the miserable Conditions of our fellow Subjects of the Province of *North Carolina* Recommended with So much Compassion in your Honours Speech the Thirteenth Instant out of Comiseration to their Deplorable Circumstances And a True zeal for the Service of our most gracious Queen have with Chearfull Hearts Resolved to Supply that Province According to their Desire with Nine hundred yards of Duffells And also to Raife the Sum of One thousand pounds for their Assistance

And having an Intire Confidence in your Honours prudent Management We humbly Request You will be pleased to take upon you the Disposal of this Supply In Such manner as you shall Judge most proper and Effectuall for the Service Intended

We are very Sory Sencible the Confusions and Disorders in y<sup>e</sup> Government of *North Carolina* have in a great measure Occasioned not only their present Misfortunes but Also the Vast Expence this Colony is put to in Guarding our Frontiers Yet the present miseries of that Province being Attended with Such variety of Calamitys and Agrivated with Circumstances So highly Deplorable have moved our Compassion They Cry Loudly for Pitty and want no Argument to perswade us to afford them any Succour in our power

We with all humility hope her Majesty will be graciously pleased to Accept this Relief to our Fellow Subjects in Distress as a Demonstration of our zeal for her Service And to believe We have on this Occasion Exerted our Selves to the utmost of our Abilities

*November 18<sup>th</sup> 1712*

*Resolved* That the Said Address be presented to the Governor by the whole House

*Ordered* That Such of the Members of this House as Carryed the Said Address To the Council and Six Members more Do know the Governors pleasure when he will be Attended by this House

Mr *Holloway* Acquainted the House

That the Members Appointed to wait upon the Governor to know when he will be Attended by this House have Accordingly waited upon his Honor And that he was pleased to Say he would be Immediately attended in the Council Chamber

Accordingly the House went to Attend the Governor and being Returned Mr *Speaker* Reported That the House had presented to the Governor their Address And thereupon his Honor was pleased to Say to this Effect

*Gentlemen*

I cannot but Receive with great Satisfaction all Such Resolutions As I Judge to be for the Honour and Interest of *Virginia* And for the Welfare of her Majesties Subjects

You Gentlemen of the Council I must very kindly thank for your frequent Readiness to Concurr with me in Assisting those Oppressed Neighbours of ours. And you Gentlemen of the House of Burgeesses I likewise thank for the promises you now give me of Raifing Some Money towards Succouring our Brethren

I Shall most heartily Concur with you in So Commendable an Act of Charity And not only Chearfully Contribute my Proportion of the Tax you Lay But will Also Carefully Manage the utmost Penny given towards Aiding them in the best and most Effectuall manner that I am capable of Contriving with Such a Sum as a Thousand pounds

And more over if that Sum will not Encourage a Sufficient Number of men to go to the Relief of those poor People I Shall be ready [without any Expectation of reward] to March at the Head of your Militia hoping that none of you that are able will Refuse to follow me on the Same Terms

The

The House proceeded to the Consideration of the Amendments proposed by the Council to the Bill Entituled *an Act for Appointing Rolling Houses and Publick Landings And Ascertaining the prices of Storeage* And the Same being Read Were Agreed unto by the House and made in the Bill

Mr *Bridger* Moving for Leave to be Absent from the Service of the House On his Extraordinary Occasions Till *Thursday* next Leave is Accordingly given him

*Resolved* That this House will To Morrow proceed to the Consideration of Ways and Means to Raife the Supply by this House Resolved to be Raifed for the Affistance and Relief of *North Carolina*

And then the House Adjourned Till To Morrow Morning Ten a Clock

*Wednesday November the 19<sup>th</sup> 1712*

MR *Holloway* Reported That the Committee of Propositions and Grievances To whom it was Referr'd to prepare and bring in a Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in Times of Danger* and prepared the Said Bill which he presented To the House And the Same was Received and Read the first Time And Ordered To be Read a Second Time

The House [according to Order] proceeded To the Consideration of Ways and Means for Raifing the Supply for the Affistance and Relief in *North Carolina* And Thereupon

*Resolved* That the Said Supply be Raifed by Continuing the *Act for Laying a Duty On Liquors and Slaves* for Three years after the Said Act Doth Expire

*Ordered* That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in the Bill

*Ordered* That it be an Instruction to the Said Committee to provide by a Clause in the Said Bill that the Interest for Money taken up and borrowed for the Said Supply Do not Exceed Eight  $\frac{3}{4}$  Cent

Also that it be an Instruction to the Said Committee That a Clause be Inferted in the Said Bill for Appointing Mr *Speaker* Treafurer of all the Revenues Arifing by the Said Act

Mr *Simons* Moving for Leave to be Absent from the Service of the House upon his Extraordinary Occasions Till *Friday* next Leave is Accordingly given him

*Ordered* That the Committee of Propositions and Grievances Do Carry To the Council the Bill Entituled *an Act for Appointing Rolling Houses and Publick Landings and Ascertaining the Prices of Storeage for their View* The Same being Amended according to the Amendments by them Propofed

Also that they Acquaint the Council That the House have Agreed to their Message Sent down Yesterday Touching the Supply of course Woollens to the Government of *North Carolina*

*Ordered* That Mr *Treasurer* Do lay before the House the Accounts of the Revenue between this and *Saturday* next—

Mr *Goodrick* Moving for Leave to be Absent from the Service of y<sup>e</sup> House on his Extraordinary Occasions Till *Munday* next Leave is Accordingly given him

A Message from the Council by Mr *Robertson*

That the Council have passed the Bill Entituled *an Act for Appointing Rolling Houses and Publick Landings And Ascertaining the Prices of Storeage* as amended

The House [according to Order] Resolved it Self into a Committee of the whole House to Consider further of the Bill for Setling and Ascertaining the fees of Attorneys Secretary County Court Clerks Sheriffs Coroners and Connstables And the Allowances of Witneses Attending in County Courts and before a Justice And after Some Time Spent therein Mr *Speaker* Refumed the Chair and Mr *Holloway* Reported from the Committee  
that

that they had made a further Progreſs in the Bill And had directed him to Move that they may have Leave to Sit again

*Resolved* That the Said Committee have Leave to Sit again at Such Time as the Houſe Shall think fit

Vpon a Motion made by a Member of this Houſe That a Bill be brought in for Declaring Conſtables Fees And what Allowance Evidences ſhall have for Attending County Courts and before a Magiſtrate or Magiſtrates out of Court after a Debate and the Queſtion put.

That the Bill be brought in

It paſſed in the Negative

And then the Houſe Adjourned Till to Morrow Morning Ten a Clock

*Thursday November the 20<sup>th</sup> 1712*

**A** WRITTEN Meſſage from the Council by *Mr Robertſon*  
By the Council

*Mr Speaker and Gentlemen of the Houſe of Burgeſſes*

The Council having had under Conſideration the Book of Claims Sent up for their Concurrence And Obſerving that the Houſe have Diſallowed Some of the Claims there mentioned for Publick Service And that others which have been Laid before You are left out of that Book Think themſelves Obliged to Recomend thoſe Claims for your further Conſideration *Vizt*

The Claim of *Sufanna Allen* for the Diet of 81 *French* Priſoners taken in a Privateer by one of the Guardſhips at our Capes And of *John Morott* for the Diet of the Officers of the Same Privateer Tho the former hath been allowed in your Houſe to be a Juſt Demand Yet the Council find the Same is not Inſerted in the Book And that the other the Diſallowed by you Whereupon they think it Neceſſary to Inform your Houſe That the Governor hath uſed his utmoſt Endeavour to obtain an Allowance from the proper Officers appointed by her Majeſty for taking Care of Priſoners but after Divers Sollicitations at that Board They have Reported that the Charge of all Priſoners of War taken in the Plantations Ought to be and is Conſtantly Defrayed by the Plantations where they are taken That Practice Seems to be grounded upon the Advantages that Accrue to the Plantations by Diſengaging their Trade from Such Enemyſ And if the Service Done this Country by the Taking that Privateer Together with the Neceſſity of freeing the Man of War of the Burthen of thoſe Priſoners for Enabling her to perform further Service at a Time of So much Danger And of preventing the ill Conſequences of of Suffering them to go at large to Diſcover the weakneſs of the Country be Conſidered The Council Doubt not your houſe will Joyn in Opinion with them That as the Confining y<sup>e</sup> Priſoners was prudent and neceſſary So the Charge was frugally managed and ought To be paid by the Country And therefore they propoſe that *John Marot's* Claim be allowed and *Sufanna Allens* added to the Book of Claims

The Council obſerve that the Claim of *Mr Nicholas Curle* for the Spy Sloop fitted out upon the Expected Invaſion in 1711 is not Inſerted in the Book of Claims That Service being So Neceſſary for the Defence of the Country And neither the Veſſell nor Men employed any otherwiſe than only for the Publick benefit The Council cannot but Recommend that Claim to your Conſideration But becauſe they underſtand that your Houſe are of Opinion That this Charge ought to be Defrayed out of the Revenue appropriated for the Support of the Government they take this Opportunity to Acquaint you that a State of that Revenue is now preparing and will be Laid before you with all Convenient Speed where by it will appear that that Revenue hath been So far from Supporting the Anuall charge of the Government That if the Same had not been Supplied from time to time out of the other Revenues of the Crown it would at this time have been many Thouſand of pounds in Debt: And even with all thoſe Additions the preſent Ballance of that  
Revenue

Revenue will not defray the Expence of the Current half year being no more than £398—4—0— And Seeing her Majesty And her Royall predeceffors have So largely Contributed to the Support of this Government The Council hope the Houfe of Burgefles will no longer Refufe to pay Such an Inconfiderable Sum expended purely for the Safety and Protection of the Country

The Council Propofe that the Claim of *William Syers of Gloucefter* of £ 11—6—0 which is Referr'd for want of the Chief Commanders Warrant be regulated and Allowed A Certificate being now produced under the Commanding Officers hand that the Services there Charged were done by his order

The Council cannot reasonably Agree to the Allowance made by your Houfe to *Thomas Baxter* and the Ten men under his Command as Rangers in *Stafford County* their Service being before the Paffing of the A<sup>c</sup>t of Rangers Unless the like payment be made to thofe who by the Same Orders Ranged at the Same time in y<sup>e</sup> other Frontier County's And performed Equall Service to the Country. And as to the Allowances made to the Rangers Eftablifhed by A<sup>c</sup>t of Affembly the Council propofe that they be all paid to One Time without extending the pay of Some and poftponing others Actually in Service at the Same time.

Among the Allowances made in your Houfe to the Officers attending the Affembly the Council cannot but take Notice of an unufuall abatement from the Sallary for Reading Divine Service laft Seffion And the rather becaufe it Relates to one of their Members of whole Readinefs to perform his Duty they are all well Satisfyed And if the Severity of the Weather for Some few days Together with the Urgent Bufinefs then depending did not permit the Members of your Houfe to Refort [as ufual] To the Publick Worfhip during that Short Time The Council cannot think it Reasonable that any Deduction be made on that Account And therefore propofe that the Said Article be Amended According to the Regulation made by the laft Houfe of Burgefles And the conftant Allowance in Such Cafes

Which Severall Additions and Amendments being agreed to by your Houfe the Council will be ready to pafs the Book of Claims

*November* the 19<sup>th</sup> 1712.

The Houfe proceeded to the Immediate Confideration of the Said Meffage and part of the Propofitions therein made by the Council was agreed to and part difagreed unto

*Refolved* That a Written Meffage be Sent to the Council Acquainting them how far the Houfe have Agreed to the Allowances by them Propofed to be made in the Book of Claims And wherein they have difagreed

*Ordered* That it be Referred to the Committee of Claims to prepare and bring in y<sup>e</sup> Said Meffage And to make Such Amendments propofed by the Council to the Book of Claims As this Houfe have Agreed unto

*Mr Holloway* from the Committee of Propofitions and Grievances Reported that they had [according to Order] prepared a Bill for Continuing an A<sup>c</sup>t Entituled *an A<sup>c</sup>t for Laying a Duty on Liquors and Slaves and for Appropriating money Sufficient to furnifh Nine hundred yards of Duffells And One thousand pounds for the Service and Relief of North Carolina out of the Said Duty And for appointing a Treasurer* which he prefented to the Houfe And the Same was Recieved and Read the firft Time And Ordered to be Read a Second Time

*Refolved* That the Bill be now Read a Second Time

The Bill was Read a Second Time and Severall Amendments were made by the Houfe To the Bill And an Amendment was made To the Title of the Bill

*Ordered* That the Bill with the Amendments be Ingroffed

A Bill for Continuing an A<sup>c</sup>t Entituled *an A<sup>c</sup>t for Security and Defence of the Country in Times of Danger* was Read the Second Time And Some Amendments were made by the Houfe To the Bill

*Ordered* That the Bill with the Amendments be Ingroffed



*Mr Francis Meriwether* Moving for Leave to be Absent from the Service of the House  
On his Extraordinary Occasions Leave is accordingly given him  
And then the House Adjourned Till To Morrow Morning Ten a Clock

*Fryday November the 21<sup>st</sup> 1712*

**M**<sup>R</sup> *Treasurer* [according to Order] Laid his Accounts of the Revenue before the House

*Ordered* That it be Referred to *Mr William Robinson Mr Allerton and Mr Conway* to Inspect and Examine the Said Accounts And to Report their Opinion therein To the House

An Ingrossed Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in Times of Danger* was Read the Third Time

*Resolved* That the Bill Do pass

An Ingrossed Bill for Continuing an Act Entituled *an Act for Laying a Duty on Liquors and Slaves And for Appropriating Money Sufficient to furnish Nine hundred yards of Duffells And One thousand pounds for the Service and Relief of North Carolina out of the Said Duty And for Appointing a Treasurer* was Read the Third Time

*Mr Buckner* from the Committee for Publick Claims to whom it was Referr'd to make Such Amendments in the Book of Claims Propos'd by the Council in their Message yesterday to the House As the House Agreed unto Reported that they had made the Said Amendments in the Book Accordingly

Also that they had [according to Order] prepared a Written Message to the Council which he presented to the House And the Same was Read and with Some Amendments agreed unto by the House And is as followeth

By the House of Burgeffes

*May it please your Honours*

The Burgeffes have Considered your Hono<sup>rs</sup> Written Message of the Nineteenth Instant Sent with the Book of Claims And touching the Severall Matters therein Contained take Leave to Acquaint your Honours as followeth

That they Adhere to their former Opinion about the Claims of *John Merrott And Susanna Allen* [To wit] That those Claims are no Country Charge and therefore have not allowed the first or Added the Latter to the Book of Claims

That they Adhere to their former Opinion about the Claim of *Mr Nicholas Curle* To wit That the Same ought To be paid out of the Revenue

That they have Regulated the Claim of *William Syer* and Inferted in the Book of Claims what ought to be Allowed upon the Same

That they have Expunged out of the Book of Claims the Allowance made to *Thomas Baxter* and the Ten Rangers under his Command

That they have paid the Rangers Etablissement by Act of Assembly all to A Time

And that the Abatement your Honours take Notice of in the last Paragraph of your Message was made upon Such Due Consideration of y<sup>e</sup> Burgeffes that they do not see any Reason to Recede from that Abatement And hope your Honours will not further press them to it or to any other Matter about which your Honours and they now Differ but that you will pass the Book of Claims As it is now Sent up

*November 21<sup>st</sup> 1712*

*Ordered* That the Said Message be fairly Transcribed and Signed by the Clerk of this House And that the Committee for Publick Claims Do Carry y<sup>e</sup> Message with the Book of Claims To the Council

A Message from the Council by *Mr Robertson*

That the Council Desire an Immediate Conference with this House upon the Subject matter of their Last Message Relating to the Book of Claims The House proceeded to the Immediate Consideration of the Said Message and thereupon

*Resolved*

*Resolved* That this House doth not Agree to a Conference with the Council as desired  
*Ordered* That Mr *Holloway* Mr *Waters* Mr *Waller* Mr *Christopher Robinson* Mr *Soane*  
 and Mr *Bolling* Acquaint the Council with the Said Resolve

A Message from the Council by Mr *Robertson*

That the Council Desire an Immediate Conference with this House upon the Last Paragraph in their Message And have Appointed Two of their Members to Manage the Same with Such a Number of Burgeffes as this House Shall think fit to Appoint

Which Conference being agreed unto

Mr *Holloway*.....Mr *Allerton*

Mr *John Robinson*.....Mr *Nich<sup>o</sup> Meriwether*

Were Appointed Managers for the House in the Same

Mr *Holloway* from the Conference with the Council Reported the Subject Matter of the Said Conference And upon Consideration of y<sup>e</sup> Reasons Reported to have been Offered by Mr *Commiffary Blair* in Excuse of his not Duly Attending to Read Divine Service the Last Session of Assembly The House doth Agree to Regulate And Amend that Article in the Book of Claims Relating To Mr *Commiffary's* Sallary as proposed by the Council And the Amendment was made in the Book accordingly

*Ordered* That the Committee for Publick Claims Do Carry the Said Book To y<sup>e</sup> Council and Desire there Concurrence thereunto

On a Motion made

The Bill for Continuing an Act Entituled *an Act for Laying a Duty on Liquors and Slaves And for Appropriating Money Sufficient to furnish Nine hundred yards of Duffells And One thousand pounds for the Service and Relief of North Carolina Out of the Said Duty And for Appointing a Treasurer* was put to its Passage

*Resolved* That the Bill Do pass

*Ordered* That the Committee of Propositions and Grievances Do Carry the Bill this Day passed the House To the Council and Desire their Concurrence thereunto

Mr *Robertson* from the Council Acquainted the House that their Hono<sup>rs</sup> have passed the Book of Claims And that they have obtained the Govern<sup>rs</sup> Assent thereunto And he Delivered the Book to Mr *Speaker*

A Committee for Proportioning the Publick Levy Vizt

Mr *Buckner*.....Mr *Bolling*

Mr *Soane*.....and

Mr *John Robinson*.....Mr *Conway*

And then the House Adjourned Till To Morrow Morning Ten a Clock

*Saturday November the 22<sup>d</sup> 1712*

MR *Christopher Neal* moving for Leave to go into the Country for Recovery of his health Leave is accordingly given him

Mr *Buckner* from the Committee of Claims Reported that they had [according to Order] Inspected and Examined the Severall Accounts of the Overfeers for building the Govern<sup>rs</sup> House And presented the Same To the House

*Ordered* That the Said Accounts Do Ly upon the Table

Mr *William Robinson* Reported from the Committee appointed to Inspect and Examine Mr *Treasurers* Accounts That they find the Same was Justly Stated which Accounts And the Vouchers To the Said Accounts he delivered in at the Table

*Ordered* That the Said Accounts and Vouchers Do Ly upon the Table

Mr *William Robinson* also Reported from the Same Committee that upon Examination of the Accounts of Mr *Christopher Robinson* Reciever of the Dutys Arising on Liquors and Slaves in the District of *Rappahanock* they Find that he Charged Commiffion on Five hundred Sixty Five pounds when the Ballance of his Account in the Countrys favour is but Four hundred Twenty One pounds Five Shillings There being a Draw back on Twenty Two dead Negros

The

The House proceeded to the Immediate Consideration of the Said Report And thereupon

*Resolved* That no Sallary ought to be Allowed upon the Said Draw back And that Mr *Christopher Robinson* ought to Account for the Same with Mr *Treasurer*

A Written Message from the Governor by Mr *Robertson* which was Read as followeth Mr *Speaker and Gent<sup>ls</sup> of the House of Burgeffes*

As the House of Burgeffes in 1710 Did appropriate the Sum of Two hundred pounds towards Enlarging the Parish Church of *Bruton* I did at their Request take upon me to See that decent places Should be built and Set apart therein for the Generall Assembly according to a Draught which I now Lay before you But by the Computation made by the undertaker of the Said Church You will percieve that it is in Vain to begin on that work because the Sum given is not Sufficient to perfect it No more than what hath been Appropriated towards the Governors House will finish that

November 22<sup>d</sup> 1712

A: *Spotswood*

*Resolved* That this House will on *Munday* next proceed to take into Consideration the Subject Matter of the Said Message

And then the House Adjourned Till *Munday* Morning Ten a Clock

### *Munday November the 24<sup>th</sup> 1712*

THE House [according to Order] proceeded to the Consideration of the Governors Message of the 22<sup>d</sup> Instant Relating to the Money appropriated for Enlarging the Parish Church of *Bruton* And thereupon

*Resolved* That this House doth not Agree To give any more towards the Enlarging the Parish Church of *Bruton* than the Sum of Two hundred pounds appropriated for that Purpose in the Year 1710

*Ordered* That a Suitable Address to the Governor be prepared on the Subject Matter of the Said Resolve for an Answer To his Honours Said Message And that it be Referr'd To Mr *Holloway* and Mr *William Robinson* to prepare and bring in the Same

A Message from the Council by Mr *Robertson*

That their Honours have Agreed To the Bill Entituled an Act for Continuing an Act Entituled an Act for Security and Defence of the Country in Times of Danger

Also to the Bill Entituled an Act for Continuing an Act Entituled an Act for Laying a Duty on Liquors and Slaves And for Appropriating money Sufficient To furnish Nine hundred yards of Duffells And One thousand pounds for the Service and Relief of North Carolina out of the Said Duty and for Appointing a Treasurer without any Amendments

The House proceeded to take into Consideration the Report of the Committee for Publick Claims made upon their Examination of the Accounts of the Overseers for building the Governor's House And after Some Time Spent therein

*Ordered* That the Said Accounts be again Considered and Examined by Mr *Nicholas Meriwether* Mr *Allerton* Mr *Marable* and Mr *Littlebury Epes* And that they Report their Opinion therein to the House

And then the House Adjourned Till To Morrow Morning Ten a Clock

### *Tuesday November the 25<sup>th</sup> 1712*

ORDERED That Mr *Littlebury Epes* Mr *Allerton* Mr *Waller* and Mr *Francis Epes* Do Examine the Severall Inrolled Bills with the Ingrossed Bills

Mr *Nicholas Meriwether* Reported that the persons appointed had [according to Order] further Examined the Accounts of the Overseers for building the Governor's House And find that the Said Accounts were Justly Stated by the Committee

mittee for Publick Claims Only that there appears to be due to *Henry Cary* One of y<sup>e</sup> Said Overfeers Three pounds Fifteen Shillings and Six pence more than he hath Credit for in his Account

The Houfe proceeded to the Immediate Confideration of the Report And Thereupon *Resolved* That this Houfe doth Agree to the Said Report

The Generall Account of M<sup>r</sup> *Treasurer* whereby it Appears that there is Due to the Generall Affembly the Sum of £136. 7. 0  $\frac{3}{4}$  paffed the Houfe

*Ordered* That the perfons that were appointed to Infpect and Examine M<sup>r</sup> *Treasurer's* Accounts Together with M<sup>r</sup> *Waller* M<sup>r</sup> *Littlebury Epes* and M<sup>r</sup> *Francis Epes* do Carry the Said Accounts to the Council and Defire their Concurrence thereunto And that they defire the Governor to give his Affent to the Same

M<sup>r</sup> *William Robinfon* Reported that the perfons Appointed had [according to Order] prepared an Addrefs To the Governour which he Read in his place and then Delivered in at the Table where the Same was again Read and with an Amendment Agreed unto by the Houfe And is as followeth

*To the Honourable Alexander Spotfwood her Majesties Liev<sup>t</sup> Governo<sup>r</sup> of Virginia May it please your Honour*

We her Majesties moft Loyall Subjects the Burgeffes Affembled Have Confidered your Hono<sup>r</sup>s Meffage of the 22<sup>d</sup> Instant Together with the Draught and Computation Sent with it And are Concerned to find That the Sum of Two hundred pounds Appropriated in the year One thousand Seven hundred and Ten Towards the building a Church in *Williamfburgh* and making Conveniencies therein for the Generall Affembly falls So much Short of perfecting that work in the manner Laid Down in the Draught

We are very Sencible that We are much Obliged to your Honour for the Care you took upon you to See that Money Difpofed of for the purpose for which it was Intended And we Defire your Honour to Accept of our humble as well as thankfull Acknowledgments for the Same

We Conceive our Selves bound to be Content with Such Conveniencys only as the Sum already Appropriated will procure and Cannot agree to give any More to make them better Efpecially at this Time having nothing more in our View than how to Extricate this Colony from the Difadvantages it Lys under by the many Sums we are already Obliged to pay

*November 25<sup>th</sup> 1712*

*Ordered* That the Said Addrefs be fairly tranfcribed and Signed by M<sup>r</sup> *Speaker* And that the perfon that Reported it Together with M<sup>r</sup> *Cary* M<sup>r</sup> *Gouldman* M<sup>r</sup> *Neal* M<sup>r</sup> *Byrd* M<sup>r</sup> *Ball* M<sup>r</sup> *Farquelin* M<sup>r</sup> *Harwood* M<sup>r</sup> *Joseph Godwin* M<sup>r</sup> *Thomas Godwin* M<sup>r</sup> *Fax* M<sup>r</sup> *Barbar* and M<sup>r</sup> *Stannup* Do prefent the Same to the Governor

M<sup>r</sup> *William Robinfon* moving for Leave to be Abfent from the Service of the Houfe upon his Extraordinary Occafions Leave is accordingly given him

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Wednesday November the 26<sup>th</sup> 1712*

**M**<sup>R</sup> *Allerton* Moving for Leave to be Abfent from the Service of the Houfe on his Extraordinary Occafions Leave is accordingly given him

*Ordered* That Colonell *Gawin Corbin* late Reciever of the Dutys [arising by the Act Entituled an Act for Laying a Duty on Liquors and Slaves] in the Diftrict of *Rappahanock* River Render an Account on Oath to M<sup>r</sup> *Treasurer* of the Moneys Arising by the Said Dutys During the Time he was Reciever thereof And pay y<sup>e</sup> Same to M<sup>r</sup> *Treasurer*

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Thursday*

*Thursday November the 27<sup>th</sup> 1712*

**A** WRITTEN Message from the Honourable the Liev<sup>t</sup> Governor by Mr *Robertson* Mr *Speaker* and Gentlemen of the House of Burgeffes

Your Addresss presented to me yesterday gives me Occasion to let you know that I shall Diminish the Wings projected for the Publick use in the Parish Church of *Bruton* Since I percieve you will be Contented with lesf Room therein

I expected you would have taken Notice of the latter part of the Message I sent you on the 22<sup>th</sup> Instant Concerning your Governors Houfe For Since the Overseers Accounts which have been for Some time before you plainly discover that the Money given is all expended And that you are all Eye Witneffes that the building is not yet finished I could not believe it would need any further Recommendation from me Especially being Satisfyed that this Deficiency is owing to the Short Computation of the Expenfe And not to any unthrifty Management During my time: I therefore hope that you will now for the Honour of your Country appropriate a further Sum for compleating that building And not let it Remain thus to all Strangers a Visible Testimony of an Imprudent undertaking

*November the 27<sup>th</sup> 1712*

*A Spotfwood*

*Ordered* That the Said Message Do Ly upon the Table

Mr *John Robinson* Reported that the persons appointed had [according to Order] proportioned the Publick Levy And that it amounted to Five and Twenty pounds of Tobacco & Poll For the payment whereof they had prepared a Bill which he presented To the Houfe Together with the Book of Proportions And the Same were Received

The Book of Proportions was Examined and with Some Amendments was Agreed unto by the Houfe

*Ordered* That the Persons that Proportioned the Publick Levy Together with Mr *Grey* Mr *Simons* Mr *Walk* and Mr *ffrancis Epes* Do Carry the Said Book To the Council and desire their Concurrence thereunto

A Bill for Raifing a Publick Levy was Read the first Time And *Ordered* To be Read a Second Time

And the Bill was Read a Second Time And Some Amendments were made by the Houfe To the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

The Houfe proceeded to the Consideration of the Governors Message of this day And the Same being Read

*Ordered* That Mr *John Robinson* Mr *Christopher Robinson* Mr *Conway* Mr *Meriwether* Mr *Fitzhugh* Mr *Armistead* Mr *Bolling* Mr *Soane* Mr *Tully Robinson* Mr *Ball* Mr *Waller* and Mr *Thornton* forthwith make Application to the Governor and know of him what Sum may be Sufficient to finish the Governo<sup>r</sup>s Houfe And Report the Same To this Houfe

An Ingrossed Bill for Raifing a Publick Levy was Read the Third Time

*Resolved* That the Bill Do pass

*Ordered* That the Persons that were appointed to Carry the Book of Propofitions to y<sup>e</sup> Council Do Also Carry the Bill for Raifing a Publick Levy To the Council And desire their Concurrence thereunto

Mr *John Robinson* Reported that the Persons Appointed had [according to Order] made Application To the Governor to know of him what Sum might be Sufficient to finish the Governors Houfe And that his Honor was pleased to Say it was very Difficult to make Computations in this Country but that he would Manage it as thriftily as he could And believed according to the best Computation he could make That Six hundred pounds besides what is already expended would finish the work

The Houfe proceeded to the Immediate Consideration of the Said Report And Thereupon

*Resolved* and accordingly *Ordered*

That

That for payment of the Debt Due upon the Governo<sup>r</sup>s Houfe more than the Money already appropriated will pay And for finishing the Said Houfe And the Appurtenances to it belonging the Sum of Nine hundred pounds be Appropriated out of the fund that fhall Arife from an A<sup>ct</sup> made this Seffion of Affembly Entituled *an A<sup>ct</sup> for Continuing an A<sup>ct</sup> Entituled an A<sup>ct</sup> for Laying a Duty on Liquors and Slaves And for Appropriating Money Sufficient to Furnish Nine hundred yards of Duffells And One thousand pounds for the Service and Relief of North Carolina out of the Said Duty And for Appointing a Treasurer* And that the faid Nine hundred pounds be paid by the Treafurer of the Said Continued Impositions for the Time being upon Warrant of the Liev<sup>t</sup> Governor or the Governor or Commander in Chief of this Colony for the time being next after the Moneys which now are or hereafter fhall During this Seffion be Ordered To be paid out of the Said fund

*Ordered* That the Perfons appointed to Carry the Bill for Raifing a Publick Levy to the Council Do alfo Carry a Copy of the Said Refolve To the Council and Defire their Concurrence thereunto

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

*Fryday November the 28<sup>th</sup> 1712.*

**A** MESSAGE from the Council by Mr *Robertfon*

That the Council have Agreed to the Refolve of this Houfe for Appropriating the Sum of Nine hundred pounds for payment of the Debt Due upon the Governours Houfe and for furnifhing the Same

Alfo that the Council have Agreed To the Book of Proportions And that the Same is Affented To by the Governor

Alfo that the Council have paffed Mr *Treasurers* Accounts And that the Same are Affented to by the Governor

Alfo that the Council have paffed the Bill Entituled *an A<sup>ct</sup> for Raifing a Publick Levy* without any Amendments

*Resolved* And accordingly *Ordered*

That the Severall perfons to whom Money Allowances are made in the Book of Claims be paid their Refpective Allowances out of the Moneys that fhall arife from the A<sup>ct</sup> Laying Impositions upon Liquors and Slaves next after the Money firft Appropriated for the Governor's Houfe And the Money appropriated for *Bruton* parifh Church And for the Prifon fhall be paid

And that the Said payments be made in Order following (To wit) The Allowances made to the Officers of the Laft Seffion of Affembly in the firft place The Allowances made to the Officers of this Seffion of Affembly in the next place And then the Reft of y<sup>e</sup> Said Allowances in the Order they Stand in the Said Book of Claims

*Ordered* That the perfons that Carried the Refolve relating to the Money Appropriated to y<sup>e</sup> Governo<sup>r</sup>s Houfe And the Bill for Raifing a Publick Levy To the Council Do alfo Cary to the Council the Refolve of this Houfe Relating to the Payments to be made To the Severall perfons to whom Money Allowances are made in the Book of Claims and Defire their Concurrence thereunto

A Meffage from the Council by Mr *Robertfon*

That the Council have Agreed To the Refolve of this Houfe Relating to the payments to be made to the Severall perfons to whom Money Allowances are made in the Book of Claims And that they have Obtained the Governor's Affent thereunto

Mr *Robertfon* Acquainted the Houfe that he was Commanded to Deliver to this Houfe a Written Meffage from the Governor

A State of the Renew of this Government

A Copy of her Majefties Royall Inftuctions relating to the *Canada* expedition the Laft year

And a Report from the Commissioners for Exchange of Prisoners And he presented the Same to the House accordingly

The Written Message from the Governor

*Mr Speaker and Gentlemen of the House of Burgeffes*

As nothing less than the Safety and Honour of this Country hath Induced me to ask any Supplies from the people So nothing but Necessity hath caused me to Insist upon having them granted And Such Necessity cannot I think be better Setforth than by Laying before you the Charge of this Government Together with the produce of its Revenue which I now Send you Stated as far back as I can find any Regular Accounts kept of the Same

According to the present State of that Revenue you may Observe that without Some Additionall Supply it is not in my power to pay the Settled Sallary's of the Governm, And to discharge those Debts which you have Voted to be Just Claims Notwithstanding I have managed your Treasury with more than Ordinary Frugality as will appear by the Article of Contingencys Especially if you compare the Extraordinary Emergencys that have fallen out under my Government with those that have happened during the Time of my Predecessors

The Bounty of the Crown Appears likewise to have been So large towards y<sup>e</sup> Support of this Government that I fear your Sovereign may be Offended at your Refusing to bear a Small Expence (I mean that of the Spy Sloop) which was Occasioned by her Majesties tender Regard to the Safety of your Country As you may perceive by a Copy (herewith Sent you) of one of her Royall Instructions relating to the *Canada* Expedition last year

I also now lay before you a Report from the Commissioners for Exchange of Prisoners whereby You may both See how I have endeavoured to Ease you of an Expence and Learn what is their Opinion at home in Relation to Prisoners taken in these parts And let me further Assure you that it is a Standing maxim in your Mother Country (whose power must be Acknowledge to reach hither) That every Plantation shall Support its own Government. Wherefore I cannot Forbear to Advise you for your own Sakes to make a Prudent use of the Liberty you now have to Choose Such ways and means as you shall Judge best for paying the Necessary Charges of your Country

*November 28<sup>th</sup> 1712*

*A: Spotswood*

The said Message being Read Together with her Majesties Royall Instructions And the Report from the Commissioners for Exchange of Prisoners mentioned in the Message the House proceeded to the Immediate Consideration of the Said Message And thereupon

*Resolved* That the Consideration of the State of the Revenue mentioned in the Said Message be Referr'd to the next Session of Assembly

And then a Debate Arising And upon the Question put

*Resolved* That an Address to the Governor be prepared in answer To the said Message

*Ordered* That it be Referr'd to *Mr Meriwether Mr Conway Mr Armistead Mr Grey Mr Bolling and Mr Fox* to prepare and bring in the said Address

And then the House Adjourned Till To Morrow Morning Eight a Clock.

*Saturday November the 29<sup>th</sup> 1712.*

**M***R Nicholas Meriwether* Reported that the persons appointed had (according to Order) prepared an Address To the Governour in Answer To his Honour's Message yesterday Which he Read in his place and then Delivered in at the Table Where the Same was again Read and Agreed unto by the House And is as followeth

*To the Honourable Alexander Spotswood her Majesties Lieut<sup>g</sup> Governor of Virginia May it please your Honour*

We

We her Majesties moſt Dutifull and Loyall Subjects the Burgeſſes now Affembled Humbly beg Leave to Repreſent to your Hono<sup>r</sup> that upon the Receipt of your Honours Meſſage yeſterday And the State of the Revenue And other Papers therewith Tranſmitted We Immediately proceeded to the Conſideration of the Same And after Some time Spent therein We came to this Reſolution That the Conſideration of the State of y<sup>e</sup> Revenue be Referr'd till the next Seſſion of Affembly.

Our Opinion being that a Due Conſideration of the State of the Revenue is a work that Requires a great Time, was one Motive to us to put it off now Since We have Sat So long already And the Winter Seafon is So far Advanced And in regard We Conceive we ſhall be the better Inabled to make a Suitable Anſwer to your Honours Meſſage after a full Conſideration had of y<sup>e</sup> State of the Revenue We humbly hope your Honour will not be diſpleaſed That We do not proceed at this Time to final Reſolutions upon the Subject Matter of your Meſſage.

*November the 29<sup>th</sup> 1712.*

*Ordered That the Said Addreſs be fairly Tranſcribed and Signed by M<sup>r</sup> Speaker*

*Ordered That the Perſons that prepared the Said Addreſs Together with M<sup>r</sup> Harwood of Warwick M<sup>r</sup> Joſeph Godwin M<sup>r</sup> Thomas Godwin M<sup>r</sup> Wright M<sup>r</sup> Thornton M<sup>r</sup> Simons M<sup>r</sup> Francis Epes and M<sup>r</sup> Drumond Do preſent the Same To the Governor*

*Ordered That the Committee of Propoſitions and Grievances do Carry the Enrolled Bills To the Council for their Examination and peruſall*

*A Meſſage from the Council by M<sup>r</sup> Robertſon*

*That the Council have peruſed and Examined the Severall Inrolled Bills Sent to them by this Houſe And that they are Satisfied the Said Bills are truly Enrolled.*

*A Meſſage from the Governor by M<sup>r</sup> Robertſon*

*M<sup>r</sup> Speaker*

*The Governor Commands the Immediate Attendance of this Houſe in y<sup>e</sup> Council Chamber And that you bring with You Such Bills as are ready for his Aſſent And M<sup>r</sup> Speaker with the Houſe went to Attend the Governor where he was pleaſed to paſs the Severall Bills following To wit*

*An A<sup>ct</sup> for Continuing an A<sup>ct</sup> Entituled an A<sup>ct</sup> for Security and Defence of the Country in Times of Danger.*

*An A<sup>ct</sup> to Continue an A<sup>ct</sup> Entituled an A<sup>ct</sup> for Appointing Rangers And for Encreaſing their pay*

*An A<sup>ct</sup> for Continuing an A<sup>ct</sup> Entituled an A<sup>ct</sup> for Laying a Duty on Liquors and Slaves And for Appropriating Money Sufficient to furniſh Nine hundred yards of Duffells And One thouſand pounds for the Service and Relief of North Carolina out of the Said Duty And for Appointing a Treafurer.*

*An A<sup>ct</sup> to ſvent Land Lapping from Infants for not Seating and planting Or not paying Quit Rents untill Three years after they come of Age.*

*An A<sup>ct</sup> for Appointing Rolling Houſes and Publick Landings and Aſcertaining the Prices of Storage.*

*An A<sup>ct</sup> for Raiſing a Publick Levy*

*An A<sup>ct</sup> to Enable William Manley Gould to Sell and Diſpoſe of Certain Entailed Lands and Tenements Lying in the County of Weſtmoreland On Selling other Lands and Tenements Lying in the Said County of which he is Seized in fee to the Same Uſes.*



# JOURNAL

OF THE

## HOUSE OF BURGESSES

AT A

### GENERAL ASSEMBLY

begun at her Majesty Queen ANNE Royal Capitol  
the Twenty Second Day of *October* in the Eleventh  
year of the Reign of our Sovereign Lady ANN  
Queen of *Great Brittain France* and *Ireland*  
Anno<sup>3</sup> Domini 1712. And thence Continued  
by Several Prorogations to the Fifth Day of  
*November* 1713 And in the Twelfth year of her  
Majestys Reign

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RICHMOND, VIRGINIA.

MCMXI.

THE END OF THE WORLD

THE END OF THE WORLD

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THE

# JOURNAL

of the

## HOUSE OF BURGESSES

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*Thursday, November the 5<sup>th</sup> 1713.*

**M**<sup>R.</sup> *Speaker* and Twenty Six Burgeffes being met in the Houfe  
*Ordered* That the Houfe be called over To Morrow Morning  
And then the Houfe Adjourned till To Morrow Morning Ten a Clock

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*Friday November the 6<sup>th</sup> 1713.*

**T**HE Houfe (according to Order) was called over  
*Ordered* That *Mr Gouldman Mr Harwood of Warwick Mr Thornton Mr Armistead* and *Mr Marable* wait on the Governor and Desire him to iffue out a New Writt for the Elec<sup>t</sup>ing a Burgefs to Serve in this Affembly for the County of *Effex* in the Room of *Francis Meriwether* Gentleman Deceafed And that they alfo Desire him to iffue out a New Writt for y<sup>e</sup> Elec<sup>t</sup>ing a Burgefs to Serve in this Affembly for the County of *Warwick* in the Room of *William Cary* Gentleman Deceafed

*Ordered* That the Abfence of thofe Members that did not appear at the calling over the Houfe be excufed Till the next time the Houfe fhall be called over

A Petition of *Benjamin Goodwin* Clerk was prefented to the Houfe and Read Praying to be Continued Chaplain to the Houfe

*Ordered* That he be Continued Chaplain according to the Prayer of his Petition And that he Attend each Morning in the Conference Room by Nine of the Clock and Read Divine Service

*Ordered* That *Thomas Francis Edward Dyer Andrew Elmfe* and *George Rimington* be Continued Doorkeepers to the Houfe And that they Give their Attendance Accordingly

The Orders of the Houfe for Laft Seffion being Read at the Table

*Refolved* That the Houfe Do approve of the Same And that they Continue Orders for this Seffion

*Ordered* That the Said Orders Lye constantly upon the Table for the perufal of the Members

*Ordered* That the Houfe be called over as often as Shall be thought Convenyent And that thofe Members who Shall be wanting in their Duty of Attendance be Lyable to the Cenfure of the Houfe

*Refolved* and accordingly *Ordered*

That it be a Standing Rule of this Houfe that Fifteen Members with the Speaker fhall be a Sufficient Number to Adjourn

A Committee for Elections and Privileges

*M<sup>r</sup> William Robinson* Chairman

*M<sup>r</sup> Meriwether* ..... *M<sup>r</sup> Allerton*

*M<sup>r</sup> Soane*

*Ordered* That *M<sup>r</sup> Miles Cary* be Continued Clerk of the Said Committee And that he Give his Attendance Accordingly

A Committee for Publick Claims

*M<sup>r</sup> Buckner* Chairman

*M<sup>r</sup> Ball* ..... *M<sup>r</sup> Christopher Neal*

*M<sup>r</sup> Eskridge* ..... *M<sup>r</sup> Littlebury Epes*

*M<sup>r</sup> ffox* ..... *M<sup>r</sup> Armistead*

*M<sup>r</sup> Barbar* ..... *M<sup>r</sup> Marable*

*Ordered* That *M<sup>r</sup> Miles Cary* be Continued Clerk of the Said Committee And that he Give his Attendance Accordingly

A Committee for Propositions and Grievances

*M<sup>r</sup> Holloway* Chairman

*M<sup>r</sup> William Robinson* ..... *M<sup>r</sup> Allerton*

*M<sup>r</sup> Christopher Robinson* ..... *M<sup>r</sup> Waller*

*M<sup>r</sup> Meriwether* ..... *M<sup>r</sup> Tully Robinson*

*M<sup>r</sup> Soane* ..... *M<sup>r</sup> Gouldman*

*M<sup>r</sup> Fitzhugh* ..... *M<sup>r</sup> Francis Epes*

*Ordered* That *M<sup>r</sup> John Clayton* be Continued Clerk of the Said Committee And that he Give his Attendance Accordingly

*Ordered* That the Committees have power to Adjourn themselves *De Diem Diem* and to Send for Perfons Records Journals and other Papers they Shall from time to time have Occasion of

*Resolved* and Accordingly *Ordered*

That all Propositions Grievances and Publick Claims be brought into the House on *ffriday* next at furthest or not to be Received in this Session of Asssembly without particular Leave of the House

*Ordered* That the Clerk of the House Publish the furthest time Set by the House for Receiving Propositions Grievances and Publick Claims during this Session by Setting up a fair Copy of the Refolve of the House made in that behalf

*Ordered* That the Committee of Propositions and Grievances Inspect y<sup>e</sup> Journal of this House at the last Session and Report to the House what they find Necessary to be taken into Consideration this Session

*Ordered* That the Committee for Publick Claims Inspect the Report of the Committee of Claims at the last Session And Report to the House what they find Necessary to be further Considered this Session

*Resolved* and accordingly *Ordered*

That all Petitions Propositions and Grievances Directed for the last Session of Asssembly And not then Considered be Admitted to the Consideration of this Session

Several Publick Claims from the Countys of

*Henrico* ..... *Northumberland*

*Surry* ..... *Prince George*

*York* ..... *Charles City*

and *Nanfemond*

Were presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

A Message from the Governor by *M<sup>r</sup> Robertson*

*M<sup>r</sup> Speaker*

The Governor Commands the Immediate Attendance of this House in the Council Chamber

Accordingly

Accordingly Mr *Speaker* with the House went up to Attend the Governor And being Returned Mr *Speaker* Reported That according to the Governors Commands they had been to wait on him in the Council Chamber where he was pleased to make a Speech of which having obtained a Copy he Should not trust to his Memory to Acquaint the House with the Contents but prayed the favour of the House to permit him to Read the Copy which he Read And is as followeth *Viz'*

*Gentlemen of the Council and House of Burgeffes*

Peace ever comes Attended with innumerable benefits, So that I hope We shall in this Meeting be able happily to lay hold of Some of them, And as We are in Duty bound to make our thankfull Acknowledgments, both to God for mercifully bestowing this blessing upon us, And to our Sovereign for graciously labouring to procure it; So I think We cannot express our gratefull Sense thereof better than by pursuing the Ends for which it was given us, That is, by heartily Vniting our Selves, and Sincerely endeavouring to Promote Religion, and Cultivate the Arts of Peace

You Gentlemen of *Virginia* might feel as Early as any of her Majestys Subjects the Advantages of this Peace, if an Assembly would as readily Concurr to prevent pernicious Practices, as a Parlyament has enclined to Redress Grievances in your Tobacco Trade; And without you do your parts in this Colony I fear all means used else where will Scarce make it flourish; for here is certainly an Evil at the very Root of this Trade, which may demonstrably appear to be the present Method the Country is in of Discharging Debts and Levys by tobacco payments, for from hence most evidently proceeds the Exportation of all that Traff which Ruines your Markets abroad, and daily Lessens the Reputation of your Commodity in *Europe*. This gives an unhappy occasion to the breeding up too many persons in a fraudulent way of dealing. Besides the Publick Credit is so Sunk by these payments, that as now no Service is readily performed for them, So I am confident no Money could in any Exigency be borrowed upon the faith of them; In Short there is So much folly and Iniquity in y<sup>e</sup> Practice, that it can by no means Square either with policy or Justice, And therefore I hope you'l Judge it Worthy of your consideration how to apply Some Remedy to this Evil.

The next Matter I shall Recommend to you is the providing more effectually for the Security of your Frontiers against foreign Indians, who notwithstanding the many partys of Rangers have Since these have been on foot killed and carryed off at least Twenty of our outward Inhabitants and Tributary Indians; I have Attempted by Severall ways to Oppose those Incurfions but after Some trouble and expence have only Experienced that our People are not disposed for Warlike undertakings; Whereupon I have begun to try what may be done for their Safety by way of treaty, but do Refolve to conclude it upon no other Terms than Such as I shall find to be entirely agreeable to you; The generality of our Tributarys have of late approved themselves to be very ready and faithfully Allied, And I am perswaded that the Settling them Along our Frontiers without all our Inhabitants (if it could be done under Such a Regulation as would make them willing to Remove) would be a better and cheaper Safe guard to the Country than the old Method of Rangers.

The Clothing you intended for the Relief of *North Carolina* has all been bought up and Delivered, but the Greatest part of the Thousand pounds Still Remaines unexpended, which has been Occasioned by that Governments Declining to Joyn in Such Measures as I might reasonably think this Sum was appropriated for. You shall have Laid before you a particular Accompt of what has been expended whereby may be observed that part has been for Stores of Warr Sent to *North Carolina*, And the rest for Expeditions undertaken against the Same Indians who were fighting against that Government.

At the Same time that I put you in mind of Some timely Repairs for the Capitol And of the Trustees for the City of *Williamsburgh*, being Accountable to none but the General Assembly; I think it proper to Informe you that there has been a necessity of Refurveying and marking out a new the bounds and Streets of this place; And I wish  
you

you Joynd in Opinion with me, that to Give Some Affistance to this Infant Town, towards building a Market Houfe, bettering the Landings, and Securing a few Publick Springs, would not only Redound to the Credit of the Country when Strangers Refort hither, but would likewise be for the benefit of all thofe whose bufiness calls them to the Affemblys And Generall Courts

*Gentlemen*

I fhall at prefent Offer nothing further to take up your time Seeing the Advancement of your Staple Commodity, and the Defence of your Country, which I have now Recommended to your Confideration, are two Such Considerable points as may juftly Claim a large part in the deliberations of a Seflion, So I conclude with my earneft prayers to God to Direct you in your Consultations

And the Same being Again Read at the Table

*Resolved* That this Houfe will to Morrow Morning Refolve it Self into a Committee of the whole Houfe to Confider of the Said Speech

And then the Houfe Adjourned till To Morrow Morning Ten a Clock

*Saturday November the 7<sup>th</sup> 1713.*

SEVERAL Publick Claims from the Countys of  
*Lancaster*.....*Stafford*  
*James City*.....*Isle of Weight*  
*King and Queen*.....*Elizabeth City*

Were prefented to the Houfe and Refer'd to the Confideration of the Committee for Publick Claims to Examine the matter thereof And Report the Same with their Opinion therein to the Houfe

A Grievance from the County of *Nanfemond* being Read

*Ordered* That the Confideration of the Said Grievance be Refer'd to the Committee of Propofitions and Grievances to Report their Opinion thereon

A Propofition from the County of *Lancaster* being Read

*Ordered* That the Confideration of the Said Propofition be Refer'd to the Committee of Propofitions and Grievances to Report their Opinion thereon

The Houfe (according to Order) *Resolved* it Self into a Committee of the whole Houfe to Confider of the Governors Speech and after Sometime Spent therein M<sup>r</sup> *Speaker* Refumed the Chair And M<sup>r</sup> *Holloway* Reported from the Committee that they had come to Some Refolutions which they had Directed him to Report Which he Read in his place and afterwards Delivered in at the Table Where the Same were Read and Agreed unto by the Houfe and are as follow *Vizt*

*Resolved* That an Humble Addrefs to her Majefty be prepared upon the prefent Peace And that the Council be defired to Joyne in the Said Addrefs.

*Resolved* That a particular Committee be appointed to Infpect and collect together all the Laws in force relating to Tobacco And Report the Same with their Opinion thereon to the Houfe And alfo Report what Propofalls they think may be for the Improvement and Advantage of the Tobacco Trade

M<sup>r</sup> *Holloway* alfo Acquainted the Houfe that he was directed by the Committee to move that they may leave to Sit again

*Resolved* That this Houfe will upon *Munday* Morning next Refolve it Self into a Committee of the whole Houfe to Confider further of y<sup>e</sup> Governors Speech

M<sup>r</sup> *Holloway* M<sup>r</sup> *William Robinson* M<sup>r</sup> *Christopher Robinson* and M<sup>r</sup> *Buckner* were (purfuant to a Refolve of this Day) Nominated a Committee to Infpect and Collect together all the Laws in force relating to Tobacco And they are Ordered to Report according to the Said Refolve

*Ordered* That the Clerk of the Committee of Propofitions and Grievances be Clerk to this Committee And Give his Attendance accordingly

*Ordered*

*Ordered* That a Message be Sent to the Council to Acquaint them that this House have Resolved to prepare an Humble Address to her Majesty upon the present Peace And that the House Desires their Honours to Joyn with them in the Address And Appoint Such of their Members as they shall think fit to Joyn with Such Members of this House as Shall be appointed to prepare and draw up the Same

*Ordered* That the Committee of Propositions and Grievances Do Carry the Message to the Council

A Petition of the Vestry of the Parish of *S<sup>t</sup> Marys* in the Countys of *Effex* and *Richmond* in behalf of themselves and the rest of the Parishoners of the Said Parish was presented to the House and Read Praying that Leave may be given to bring in a Bill for Dividing y<sup>e</sup> Said Parish into Two Distinct Parishes by the River of *Rappahanock*

*Ordered* That Leave be given to bring in a Bill according to the Prayer of y<sup>e</sup> Said Petition and that *Mr William Robinson Mr Thornton* and *Mr Gouldman* Do prepare and bring in the Bill

And then the House Adjourned till *Monday Morning Ten a Clock*

### *Monday November the 9<sup>th</sup> 1713*

**S**EVERAL Claims from the Countys of *King William* and *New Kent* were presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

Upon a Motion made

*Ordered* That a Committee be appointed to Inspect all the Temporary Laws and see which of the Said Laws are expired or near expiring and fit to be Revived or Continued And Report the Same to the House

And a Committee was appointed accordingly (to wit) *Mr Waller Mr Conway* and *Mr Boush*

A Message from the Council by *Mr Robertson*

*Mr Speaker*

I am Commanded by the Council to Acquaint this House that they are willing to Joyn with this House in an Humble Address to her Majesty on Occasion of the present Peace And that they have appointed two of their Members to Joyn with Such Members of this House as they shall think fit to Appoint to prepare and draw up the Same And that the Members Appointed by the Council will be Ready in the Conference Room at three of the Clock in the Afternoon to meet the Members appointed by this House for that purpose

Accordingly *Mr Holloway Mr William Robinson Mr Christopher Robinson* and *Mr Buckner* were appointed to meet in the Conference Room at three a clock in the afternoon And with the Members appointed by the Council to prepare and draw up the Said Address

The House (according to Order) Resolved it Self into a Committee of the whole House to Consider further of the Governors Speech and after Some time Spent therein *Mr Speaker* Resumed the Chair and *Mr Holloway* Reported from the Committee that they had come to Some Resolutions which they had directed him to Report to the House which he Read in his Place and afterwards delivered in at the Table where the Same were Read and with an Amendment to one of them agreed unto by the House and are as follow *Vizi.*

*Resolved* That the Consideration of that part of the Governors Speech relating to the Security of our Frontiers and Settling the Tributary Indians without our Inhabitants be Refer'd to a further time

*Resolved*

*Resolved* That it be Refer'd to a particular Committee to Consider the Subject Matter of that Paragraph of the Governors Speech Relating to y<sup>e</sup> Capitol and the City of *Williamsburgh*

Mr *Holloway* also Acquainted the House that the Committee had directed him to Move that they may have Leave to Sit again

*Resolved* That this House will upon *Thursday* morning next Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech

Mr *Eskridge* Mr *Allerton* Mr *Soane* and Mr *Meriwether* were (pursuant to a Resolve of this day) Nominated a Committee to Consider the Subject Matter of that Paragraph of the Governors Speech relating to the Capitol and the City of *Williamsburgh* And they are to Report their Opinion thereon

The Return of the Writt for the Electing a Burgees for the County of *Norfolk* to Serve in this present Assembly in the Room of Mr *James Willson* Deceased was brought into the House and Referred to the Consideration of the Committee for Elections and Privileges to Report their Opinion thereon

And then the House Adjourned till To Morrow Morning Ten a Clock

### *Tuesday November the 10<sup>th</sup> 1713.*

SEVERAL Claims from the Countys of *New Kent* and *Westmoreland* and a Claym of *Robert Pryors* of *Gloucester* County were presented to the House And Refer'd to the Consideration of the Committee for Publick claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

A Petition of *Robert Whood* was presented to the House and Read Praying an Allowance for a Mare lost in Ranging

*Ordered* That the Consideration of the Said Petition be Refer'd to the Committee of Claims to Report their Opinion thereon

Mr *Holloway* from the Committee of Propositions and Grievances Reported that the Said Committee had taken into Consideration several of the Matters to them Refer'd And therein had come to Several Resolutions Which he Read in his place and afterwards Delivered them in at the Table where being again Read The House proceeded to the Immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Inspection of the Journal of this House made at the last Session wherein they find That the Consideration of the Proposition from the County of *Norfolk* That Incouragement be given for making flax Hemp Cotton and Wool Stands Refer'd to this Session of Assembly.

And that the Consideration of the Proposition from the County of *Princes Ann* That the making Flax Hemp Cotton and Wool may be encourag'd by Law Stands Refer'd to this Session of Assembly

And that the Consideration of the Proposition from the Said County of *Princes Ann* That the Sallary of Burgeesses and the Charge of Assemblys be paid in Money to be Raifed by Impositions and Dutys on Goods imported from all places except from *Europe* Stands Refer'd to this Session of Assembly

And that the Consideration of the Proposition from the Said County of *Princes Ann* That a new Court house Prison Stocks and Pillory may be Erected at Some convenient place near the Center of the said County Stands Refer'd to this Session of Assembly

After a Debate The Question was put That the Report of the Committee be Agreed to

It was Resolved in the Affermative and thereupon

*Resolved* That the Severall Propositions above mentioned be further Refer'd to the Consideration of the next Session of Assembly

And



And upon Consideration of the Report made by the Said Committee That they do find in the Said Journal That on Consideration of the Grievance from the County of *Nansemond* Setting forth That the Court House of the Said County is Scituated in an Inconvenient place And praying the Same may be Removed It is Ordered that y<sup>e</sup> persons Representing the Said Grievance The Justices and all others who desire to Oppose the Removing the Said Court house Should be heard before this House on the Eighth day of this Session of Assembly

And on Consideration of the Petition of Divers freeholders of y<sup>e</sup> Said County of *Nansemond* prefer'd to this House at this Session Praying that they may be heard on the Matter of the Said Grievance and be Relieved therein

The House Agreed to the Report of the Committee *Vizt*

*Resolved* That the persons Petitioning for the Removal of the Said Court house and all who desire to Oppose the Same be heard thereupon before this House

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Lancaster* Representing That the Suffering too many Horses and Mares to Run in Common is very prejudicial to many People

The House Agreed to the Report of the Committee *Vizt*

*Resolved* That the said Grievance ought to be Redressed And that it may be properly done by a Bill to be brought in on the Subject Matter of the Said Grievance

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Bill

Mr *William Robinson* (according to Order) presented to the House a Bill for Dividing St. Marys Parish And the Same was Received and Read the first time And Ordered to be Read a Second time

Mr *Waller* Reported from the Committee appointed to inspect y<sup>e</sup> Temporary Laws That the Said Committee had Considered the Matters to them Refer'd And Agreed upon Several Resolutions which he Read in his place And afterwards Delivered in at the Table where the Same were Read (and with an Amendment to one of them) Agreed unto by the House And are as follow *Vizt*

*Resolved* That the Act Entituled *an Act for the Regulation and Settlement of fferrys and for Dispatch of Publick Expresses* Expiring at the End of this present Session of Assembly be Continued

*Resolved* That the Act Entituled *an Act for prevention of abuses in Tobacco Shipped on freight* expiring the Twenty fifth day of *December* next be Continued

*Resolved* That the Act Entituled *an Act for Supply of certain Defects found in an Act prescribing the Method for Appointing Sheriffs* expiring at the End of this present Session of Assembly be Continued

*Resolved* That the Act Entituled *an Act Prohibiting Seamen being harbored or Entertained on Shoar* being Expired be Revived

*Resolved* That the Continuance of the Act Entituled *an Act for Appointing Rangers And for Encreasing their Pay* (expiring the One and thirtyeth day of *January* next) be Refer'd to the Consideration of the House

*Ordered* That the Consideration of the Continuance of the Said Act be Refer'd till Monday next

*Ordered* That a Bill or Bills be brought in upon the Said Resolutions And that Mr *Waller* Mr *Conway* and Mr *Boush* Do prepare and bring in the Same

And then the House Adjourned till To Morrow Morning Ten a Clock

*Wednesday November the 11<sup>th</sup> 1713.*

A PETITION of *Philip* and *Margaret Jones* Refer'd by the Council to the Consideration of this House was Read Praying a reward of Forty pounds (pursuant to Act of Assembly) for killing Two *Tuscarora* Indians

A Petition of *John Hartwell* was presented to the House and Read Praying a further Allowance for Some Punchions or Pallizados for which he was not fully Allowed the last Session of Assembly

A Petition of *Richard Buckner* was presented to the House and Read Praying an Allowance for four Copys of the Laws and Journals of the last Session of Assembly Delivered to the Governor As also for a Copy of the Said Laws Delivered into the Secretarys Office.

A Petition of *James Adams* Refer'd by the Governor and Council to the Consideration of this House was Read Praying an Allowance for being Interpreter to the *Pamoukeq* and *Chicahomony* Indians the last year

A Petition of *Henry Brigs* Refer'd by the Council to the Consideration of this House was Read Praying to be Allowed his yearly Sallary and for other Services as Interpreter of the Indians

A Petition of *Christopher Smith* Lieu<sup>t</sup>. of the Rangers in *King William* County in behalf of himself and the men under his Command (Refer'd by the Governor and Council to the Consideration of this House) was Read Praying an Allowance for their Service as Rangers according to Law

A Petition of *John Cembrough* a Pentioner was presented to the House and Read Praying his usual Allowance

*Ordered* That the Consideration of the Said Petitions be Refer'd to the Committee for Publick Claims to Report their Opinion therein

Several Claims from the Countys of *York Middlefex* and *James City* were presented to the House And Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

A Proposition from the County of *James City* was Read and Refer'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon

A Bill for Dividing *S<sup>t</sup> Marys* Parish was Read a Second time

*Ordered* That the Bill be Ingrossed

*Mr Holloway* Reported that the Members appointed by this House together with Members appointed by the Council to draw up an Humble Address To her Majesty had drawn up an Address accordingly which they had Directed him to Report to the House Which he Read in his place and afterwards Delivered in at the Table where the Same was Read and Agreed unto by the House

*Ordered* That *Mr Holloway Mr William Robinson Mr Christopher Robinson* and *Mr Buckner* Do Cary the Address to the Council and Acquaint them that this House have Agreed to the Same as Reported and desire their Concurrence thereunto

A Message from the Council by *Mr Robertfon*

That the Council have Agreed to the Address Just now Sent up to that Board (with an Amendment) To which they desire the Concurrence of this House.

The House proceeded to the Immediate Consideration of the Said Amendment And the Same was Read and Agreed unto by the House

*Ordered* That the Said Address with the Amendment be fairly transcribed in Order to its being Sign'd

*Ordered* That the Gentlemen that carryed the Address to the Council Do Acquaint them that this House have Agreed to the Amendment by them proposed And have Ordered the Address with the Amendment to be fairly transcribed in Order to its being Sign'd

And then the House Adjourned till To Morrow Morning Ten a Clock

*To the Queens most Excellent Majesty The humble Address of the Council and Burgeffes of Virginia*

*May it please your Majesty*

We your Majestys most Loyal and Dutiful Subjects the Council and Burgeffes of *Virginia* met together in Assembly Do take this first Opportunity to felicitate your Majesty upon the late Glorious and happy Peace in which you have not only procured Vast Advantages to your own Dominions but by a most Extensive Goodness have also Consulted the Interest and Safety of your Allys. Never did the *British* Troops Obtain

So

So many Triumphs as while your Majesty thought it Necessary for the Safety of *Europe* to make Warr And never did the *Brittish* Councils gain So Just a Reputation as Since in Compassion to the Miserys of Mankind you have Judg'd it time to make Peace. It is an Honour peculiar to your Majesty that as your Enemys have for many Campaigns confessed the force of your Arms they now Acknowledge your Justice by Submitting the Pretensions of the Allies to your Majestys wise decision

If your Enemy then Madam are So ready in Sight of all the Disgraces they have Received to own your Royal Vertues who amongst your Subject can be Silent on So Glorious an Occasion When by your Majestys prosperous Efforts the Ballance of Power is Setled the Libertys of *Europe* Recovered the Swelling Ambition of *ffrance* Shut up within its proper bounds The Proteftant Succession to your own Kingdoms Secured The Trade of your People enlarged and a Safe and Honourable Peace concluded: Thus your Majesty has at last by the blessing of the Almighty compass'd the Great and just Ends for which you enter'd into the Warr And for which your faithfull Subjects with a chearfullness beyond all Example have Supported the Expence and Calamitys of it

Tho there be none of your Majestys People who have Suffer'd more in the Ruin of their Trade and in the decay of their Staple Commodity than your Loyal Subjects of this Dominion Yet the Glory your Majesty has gain'd during the War And the prospect of a happy Peace has made them forget their Misfortunes: In the midst of Poverty We are Sensible of the many blessings of your Reign And particularly have reason to thank your Majesty in the humblest manner for your Great Goodness in Sending us So Wife and Just a Liev<sup>t</sup> Governor who was not only Industrious to Secure us in time of War But dos Assist us to Improve the Arts of Peace And will We hope Recommend us to your Royal favour whose Glory it is to Reign in the hearts of your People And be a Nurfing Mother to all your Subjects

May the Great God who is King of Kings and by whom Princes Reign preserve your Majestys Precious life for many year may you long Continue the Dread of your Enemys And the happiness of your own People As you will certainly be the Ornament of History and the Wonder and Example of all Posterity

*Thursday November the 12<sup>th</sup> 1713.*

A MESSAGE from the Council by Mr *Robertson*  
Mr *Speaker*

I am Commanded by the Council to Acquaint this House that on Consideration of the last Message Sent up to them by this House Relating to the Address to her Majesty All their Members have agreed to Sign the Same And that they desire the Address when fairly transcribed may be Sent up for that purpose

*Ordered* That Mr *Holloway* Mr *William Robinson* Mr *Christopher Robinson* and Mr *Buckner* Do (according to the Councils Desire) Carry the Address to their Honours for their Signing

Several Publick Claims from the County of *James City* were presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

A Petition of Mr *Secretary Cocke* (Refer'd by the Council to the Consideration of this House) was read Praying to be Allowed for Three Writts issued out of his Office for the Election of Burgeesses to Serve in this Assembly

A Petition of *Chicheley Corbin Thacker* Clerk of the Secretarys Office (Refer'd by the Council to the Consideration of this House) was Read Praying an Allowance for Publick Services

*Ordered* That the Consideration of the said Petitions be Refer'd to the Committee for Publick Claims to Report their Opinion thereon

M<sup>r</sup> Waller (according to Order) presented to the House a Bill for Continuing an Act Entituled *an Act for prevention of abuses in tobacco shipt on ffreight*

A Bill to Continue an Act Entituled *an Act for Supply of certain Defects found in an Act prescribing the Method for appointing Sheriffs*

A Bill for Continuing an Act Entituled *an Act for the Regulation and Settlement of Ferrys and for Dispatch of Publick Expresses*

A Bill for Reviving and Continuing an Act Entituled *an Act Prohibiting Seamen being harboured or entertained on Shoar*

And the Same were Received and Read the first time And Ordered to be Read a Second time

An Ingrossed [Bill] for Dividing S<sup>t</sup> Marys Parish was Read the Third Time

*Resolved* That the Bill do pass

*Ordered* That M<sup>r</sup> William Robinson M<sup>r</sup> Thornton M<sup>r</sup> Gouldman M<sup>r</sup> Ball M<sup>r</sup> Conway and M<sup>r</sup> Christopher Robinson Do Carry the Bill to the Council and Desire their Concurrence thereunto.

A Petition of Thomas Thornton was presented to the House and Read Praying an Allowance of Fourteen hundred pounds of tobacco for Seven Months Service as a Look out on the Sea Shoar

*Ordered* That the Consideration of the Said Petition be Refer'd to the Committee for Publick Claims to Report their Opinions thereon

*Ordered* That the Petitioner have Leave to prove his Claim by his Oath before the Said Committee The Same not being proved at a Court of claims

The order of the Day being Read for the House to Resolve it Self into a Committee of the Whole House To Consider further of the Governors Speech

*Resolved* That this House will upon Saturday Morning next Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech

*Resolved* That a Suitable Address to the Governor be prepared upon the Said Speech

*Ordered* That M<sup>r</sup> Eskridge M<sup>r</sup> Allerton M<sup>r</sup> Waller and M<sup>r</sup> Epes do prepare and bring in the Same

And then the House Adjourned till To Morrow Morning Ten a Clock

### *Friday November the 13<sup>th</sup> 1713.*

**M**<sup>R</sup> Eskridge Reported from the Committee appointed to prepare an Address to the Governor (upon the Resolution yesterday) That they had prepared an Address accordingly Which they had Directed him to Report to the House which he Read in his place and afterwards delivered in at the Table where the Same was Read and (with some Amendments) agreed unto by the House And is as followeth *Vizt*

*To the Honourable Alexander Spotswood her Majestys Lieu<sup>t</sup> Governor of Virginia*

*The Humble Address of the House of Burgeffes*

*May it please your Honour*

We her Majestys most Dutiful and Loyal Subjects the Burgeffes now assembled Return to your Honour our most humble and unfeigned thanks for the favour of your Speech this Session And We pray your Honour to believe that nothing less than our earnest desire to Address her Majesty upon the Peace with the utmost Expedition could have kept us So long from making these Acknowledgments. The Subject Matter of your Speech Doth plainly Discover an hearty desire in your Honour for the happiness of this Country And that the Advancement of its Trade and preservation of its Peace have a Great Share of your thoughts

This Consideration does not only Prompt but Encourage us also to proceed to an Inquiry by what ways and means the Value of our Staple Commodity now Sunk to an Intollerable

Intollerable Lowness may be best Raised and Advanced, We fear many difficultys will Occur in the Preservation of the Work but the Sense of our own Interest will cause us to Exert our utmost to overcome them And We hope they are not Insuperable

We shall proceed in the Consideration of the Several Matters Recommended to us by your Honour And of all our other Affairs with convenient Dispatch And hope this Session will end in an happy Concurrence.

*Ordered* That the Said Address be fairly Transcribed and Signed by Mr *Speaker*

*Resolved* That the Said Address be presented to the Governor by the whole House

*Ordered* That the Gentlemen that prepared the Said Address and Eight Others do know the Governors pleasure when he will be Attended by this House

A Claim of *John Broadnax* with Several Papers relating thereto was presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

A Petition of the Said *Broadnax* was presented to the House and Read Praying that what Tobacco shall be proportioned to him this Assembly may be in *York* or *James City* County

*Ordered* That the Said Petition be Refer'd to the Committee for Publick Claims to whom his Claim with the Papers relating thereto was Refer'd

A Claim of *Sufanna Allen* was presented to the House and Refer'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

A Bill for Continuing an Act Entituled *an Act for prevention of Abuses in Tobacco shipt on ffreight* was Read a Second time

A Motion being made and the Question being put that the Bill be Ingrossed

It passed in the Negative

A Bill to Continue an Act Entituled *an Act for Supply of certain Defects found in an Act prescribing the Method for Appointing Sheriffs* was Read a Second time

*Ordered* That the Bill be Ingrossed

A Bill for Reviving and Continuing an Act Entituled *an Act Prohibiting Seamen being Harboured or Entertained on Shoar* was Read a Second Time and Several Amendments were made by the House to the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

Mr *Eskridge* acquainted the House that the Governor having (according to Order) been waited upon to know when he would please to be Attended by this House his Honour had been pleased to Appoint to Morrow Morning at Eleven a Clock in the Council Chamber

*Ordered* That the Several Members of this House Attend to Morrow Morning at Ten a Clock in Order to Sign the Address to her Majesty

And then the House Adjourned till To Morrow Morning Nine a Clock

*Saturday November the 14<sup>th</sup> 1713.*

MR *Speaker* Reported That the House had been to attend the Governor with their Address And that his Honour was pleased thereupon to Give this Answer *Vizt*  
*Gentlemen*

I heartily thank you for this Address It is an extream Satisfaction to me to understand that you are Sensible of my honest indeavours to promote the welfare of this Country And also to find So fair a Prospect of an happy union and concurrence this Session

Mr *Holloway* Reported from the Committee appointed to inspect and collect together all the Laws in force relating to Tobacco who were also Ordered to make Proposals for the Improvement of the Tobacco Trade That they had accordingly made a  
Collection

Collection of y<sup>e</sup> Said Laws And had drawn up Such Propofalls as they think may be for the Improvement and Advantage of the tobacco Trade which they had directed him to Report to the Houfe which he Read in his place and afterwards Delivered in at the Table where the Same were again Read

*Ordered* That the Said Report be taken into Confideration on *Wednesday* next

An Ingroffed Bill to Continue an A<sup>c</sup>t Entituled *an A<sup>c</sup>t for a Supply of certain Defects found in an A<sup>c</sup>t prefcribing the Method for Appointing Sheriffs* was Read the third Time

*Resolved* That the Bill do pafs

An Ingroffed Bill for Reviving and Continuing an A<sup>c</sup>t Entituled *an A<sup>c</sup>t Prohibiting Seamen being harboured or Entertained on Shoar* was Read the Third Time

*Resolved* That the Bill do pafs

*Ordered* That M<sup>r</sup> Waller and five Members more do Carry the Bills to the Council and Defire their Concurrence thereunto

The Order of the Day being Read for the Houfe to Refolve it Self into a Committee of the whole Houfe to Confider further of y<sup>e</sup> Governors Speech

*Resolved* That this Houfe will upon *Thursday* Morning next Refolve it Self into a Committee of the whole Houfe to Confider further of the Governors Speech

M<sup>r</sup> Eskridge Reported that the perfons appointed had (according to Order) Confidered the Subject Matter of that Paragraph of the Governo<sup>r</sup>s Speech Relating to the Capitol and the City of *Williamfburgh* And thereupon had come to Some Refolutions which they had directed him to Report to the Houfe Which he Read in his Place and afterwards delivered in at the Table where the Same were again Read

*Ordered* That the Said Report be taken into Confideration on *Monday* next

And then the Houfe Adjourned till *Monday* Morning Ten a Clock

### *Monday November the 16<sup>th</sup> 1713.*

**A** BILL for Continuing an A<sup>c</sup>t Entituled *an A<sup>c</sup>t for the Regulation and Settlement of fferryes And for Difpatch of Public Exprefses* was Read a Second time and Several Amendments were made by the Houfe to the Bill

*Ordered* That the Bill with the Amendments be Ingroffed

*Ordered* That the Confideration of the Continuance of the *A<sup>c</sup>t for appointing Rangers and for Increafing their Pay* (Refer'd to this Day) be further Refer'd till *Thursday* next

The Houfe (according to Order) proceeded to take into Confideration the Report made by the Committee appointed to Confider of that part of y<sup>e</sup> Governors Speech Relating to the Capitol and the City of *Williamfburgh*

And upon Confideration of the Said Report

*Resolved* That the Capitol be Repaired with all Convenyent Speed and that *John Holloway* and *John Clayton* Gentlemen have power to Imploy Workmen to make Such Repairs in and about the Said Capitol as by them Shall be thought convenyent and neceffary

*Ordered* That the Truftees for the City of *Williamfburgh* lay before this Houfe on *ffriday* next an Account of the Money in their hands Arifing from the Payments made for Lots taken up in the Said City And that they have Notice by the Clerk of this Houfe to prepare and give in their Accounts accordingly

*Ordered* That the further Confideration of the Report be Refer'd till *ffriday* next

A Petition of *William Smith* of the County of *King William* was prefented to the Houfe and Read Praying that Leave may be given to bring in a Bill for making good a Title of Intailed Lands by him Sold in fee to one *John Graves* Jun<sup>r</sup> And for Setling other Lands of greater Value to the Same ufes

*Ordered*

*Ordered* That the Consideration of the Said Petition be Refer'd to a Committee to Examine the Allegations thereof and Report the Same to the Houfe

And a Committee was appointed for that purpose (to wit) Mr *Bird* Mr *Meriwether* Mr *Stanup* and Mr *Waller*

And then the Houfe Adjourned till To Morrow Morning Ten a Clock

*Tuesday November the 17<sup>th</sup> 1713.*

THE Return of the Writt for the Electing a Burgefs for the County of *Warwick* to Serve in this present Affembly in the Room of Mr *William Cary* deceased was brought into the Houfe And Refer'd to y<sup>e</sup> Consideration of the Committee for Elections and Priviledges to Report their Opinion thereon

Mr *Bird* Reported from the Committee to whom it was Refer'd to Examine the Allegations of the Petition of *William Smith* of the County of *King William* That they had (according to Order) Examined the Allegations of the Said Petition And find the Same to be true

*Ordered* That Leave be given to bring in a Bill according to the Prayer of the Said Petition And that the Committee to whom it was Refer'd to Examine the Allegations Do prepare and bring in the Bill

An Ingroffed Bill for Continuing an Act Entituled *an Act for the Regulation and Settlement of fferrys And for Dispatch of Publick Expreffes* was Read the Third time

*Resolved* That the Bill do pafs

*Ordered* That the perfons that prepared the Bill with Three Members more Do Carry the Bill to the Council and desire their Concurrence thereunto

And then the Houfe Adjourned till To Morrow Morning Ten a Clock

*Wednesday November the 18<sup>th</sup> 1713.*

MR *Waller* (according to Order) presented to the Houfe a Bill to Enable *William Smith* Gent to Sell and Dispose of certain Intailed Lands and Tenements lying in the County of *New Kent* On Setling other Lands and Tenements Lying in *King William* County of which he is Seized in fee To the Same Uses And the Same was Received and Read the first time And Ordered to be Read a Second time.

Mr *Holloway* (according to Order) presented to the Houfe a Bill to Reftrain the keeping too Great a Number of Horfes and Mares And the Same was Received and Read the first time and Ordered to be Read a Second Time

Mr *Holloway* from the Committee of Propositions and Grievances Reported that the Said Committee had taken into Consideration a Grievance from the County of *James City* And therein had Agreed upon a Refolution which they had directed him to Report to the Houfe which he Read in his place and afterwards Delivered in at the Table where being again Read The Houfe took the Same into Immediate Consideration

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *James City* That no Allowance is made to Jurymen attending on Surveys of Land The Houfe Agreed to the Report of the Committee *Vizt*

*Resolved* That the Same may be properly provided for in a Bill for Setling Secretaries Sheriffs Coroners Attorneys and Clerks fees

The Houfe (according to Order) proceeded to the Consideration of the Report of the Committee To whom it was Refer'd to inspect and Collect together All the Laws in force relating to Tobacco And Report Propofalls for the Improvement and Advantage of the Tobacco Trade

And

And upon Consideration of the Report of the Said Committee

*Resolved* That the Laws now in force Relateing to Tobacco are not Sufficient for the Improvement and Advantage of the Tobacco Trade And that y<sup>e</sup> Method now Establiſhed by Law for Diſcharging Debts is Subject to many frauds and Abuses not provided againſt by any Law

*Ordered* That a Bill be brought in for the better Improvement and Advantage of the Tobacco Trade and for prevention of frauds and Abuses in Diſcharging Tobacco Debts And that the Committee of Propoſitions and Grievances do prepare and bring in the Bill

And they have power to Receive and Conſider all Propoſalls that Shall be made by any perſon whatſoever

*Ordered* That M<sup>r</sup> Allerton have Leave to go into the Country upon Extraordinary Occaſions

And then the Houſe Adjourned till To Morrow Morning Ten a Clock

*Thursday November the 19<sup>th</sup> 1713.*

**A** BILL to Enable William Smith Gent to Sell and Diſpoſe of certain Intailed Lands and Tenements Lying in the County of *New Kent* On Setling other Lands and Tenements Lying in *King William* County of which he is Seized in fee to the Same uſes was Read a Second time and Committed

*Ordered* That the Bill be committed to the Committee that prepared it

A Bill to Refrain the keeping too Great a Number of Horſes and Mares was Read a Second Time And an amendm<sup>t</sup> was made by the Houſe to the Bill

*Ordered* That the Bill with the Amendment be Ingroſſed

A Meſſage from the Council by M<sup>r</sup> Robertſon

That the Council have Agreed to the Bill Entituled *an A<sup>t</sup> to Continue an A<sup>t</sup> for Supply of certain defects found in an A<sup>t</sup> preſcribing the Method for Appointing Sheriffs* without any Amendments

Alſo that the Council have Agreed to the Bill Entituled *an A<sup>t</sup> for Reviving and Continuing an A<sup>t</sup> Entituled an A<sup>t</sup> prohibiting Seamen being Harbored or Entertained on Shoar* with Amendments

And alſo that the Council have Agreed to the Bill Entituled *an A<sup>t</sup> for Continuing an A<sup>t</sup> Entituled an A<sup>t</sup> for the Regulation and Settlement of fferrys And for Diſpatch of Publick Expreſſes* with Amendments to which they deſire the Concurrence of this Houſe

M<sup>r</sup> Robinſon alſo acquainted the Houſe That to the End this Houſe may be Informed the Reaſons of thoſe Amendments the Council have Sent down a Copy of her Majeſtys Inſtruction to the Governor relating to Re-enacting Laws for the peruſall of this Houſe And he preſented the Same to the Houſe accordingly

The Houſe proceeded to take into Conſideration the Said Amendments

And upon Conſideration of the Amendments Propoſed by the Council to the Bill Entituled *an A<sup>t</sup> for Reviving and Continuing an A<sup>t</sup> Entituled an A<sup>t</sup> Prohibiting Seamen being harboured or Entertained on Shoar* The Same being Read were Agreed unto by the Houſe and made in the Bill

And upon Conſideration of the Amendments propoſed by y<sup>e</sup> Council to the Bill Entituled *an A<sup>t</sup> for Continuing an A<sup>t</sup> Entituled an A<sup>t</sup> for the Regulation and Settlement of fferrys And for diſpatch of Publick Expreſſes* The Same being Read were agreed unto by y<sup>e</sup> Houſe and made in the Bill

The Order of the day being Read for the Houſe to Reſolve it Self into a Committee of the whole Houſe to Conſider further of the Governors Speech

*Resolved* That this Houſe will upon *Munday* Morning next Reſolve it Self into a Committee of the whole Houſe to Conſider further of the Said Speech

*Ordered*



*Ordered* That the Consideration of the Continuance of the *Act for Appointing Rangers And for increasing their pay* (Refer'd to this day) be further Refer'd till Monday next.

*Ordered* That the persons that Carried the Bill Entituled *an Act for Reviving and Continuing an Act Entituled an Act prohibiting Seamen being harboured or Entertained on Shoar*

And also the Bill Entituled *an Act for Continuing an Act Entituled an Act for the Regulation and Settlement of fferrys & for Dispatch of Public Expresses* To the Council for their Concurrence Do now carry the Same to their Honours and acquaint them that this House have Agreed to the Amendments by them proposed to the Said Bills

And then the House Adjourned till To Morrow Morning Ten a Clock

*Friday November the 20<sup>th</sup> 1713.*

**O***RDERED* That Mr *Armistead* have Leave to go into the Country upon extraordinary Occasions

Some Publick Claims from the County of *Richmond* were by Leave of the House Received and Refer'd to the Consideration of y<sup>e</sup> Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

A Petition of Several of the Parifhoners of *S<sup>t</sup> Marys* parish was presented to the House and Read Praying that the Said parish may be Continued one intire Parish and undivided

*Ordered* That the Said Petition be Rejected

Mr *Waller* Reported from the Committee to whom the Bill to Enable *William Smith* Gent to Sell and Dispose of certain Intailed Lands and Tenements Lying in the County of *New Kent* On Setling other Lands and Tenements lying in *King William* County of which he is Seized in fee to the Same uses was Committed that the Committee had made Several Amendments to the Bill which they had directed him to Report to the House Which he Read in his place and afterwards delivered in at the Table where the Same were Read and Agreed unto by the House And Some other Amendments were made by the House to the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

Mr *Goodrich* Moving for Leave to go into the Countrey on Extraordinary Occasions Leave is accordingly Given him

An Ingrossed Bill to Refrain the keeping too Great a Number of horses and Mares was Read the third time

*Resolved* That the Bill do pass

*Ordered* That the Committee that prepared the Bill do carry the Same to y<sup>e</sup> Council and desire their Concurrence thereunto

*Ordered* That Mr *ffox* and Mr *Bird* have Leave to go into the Country on Extraordinary Occasions

The Order of the day being Read for the House to take into further Consideration the Report made by the Committee appointed to Consider of that part of the Governors Speech Relating to the Capitol and the City of *Williamsburgh*

*Ordered* That the further Consideration of the Said Report be Refer'd till Monday next

And then the House Adjourned till To Morrow Morning Ten a Clock

*Saturday November the 21<sup>st</sup> 1713.*

**A**N Ingrossed Bill To Enable *William Smith* Gent to Sell and Dispose of certain Intailed Lands and Tenements Lying in the County of *New Kent* On Setling other Lands and Tenements Lying in *King William* County of which he is Seized in fee To the Same Uses was Read the Third time

*Resolved* That the Bill Do pass

*Ordered*

*Ordered* That the Persons that prepared the Bill with two Members more Do Carry the Same To the Council and Desire their Concurrence thereunto  
And then the Houfe Adjourned Till *Monday Morning Ten a Clock*

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*Monday November the 23<sup>d</sup> 1713.*

**M**<sup>R</sup> *Holloway* (according to Order) prefented to the Houfe a Bill for preventing Frauds in Tobacco Payments and for the better Improveing the Staple of Tobacco And the Same was Received and Read the firft time And Ordered to be Read a Second time

The Orders of the Day being Read

*Resolved* That this Houfe will upon *Wednesday Morning* next Refolve it Self into a Committee of the whole Houfe to Confider further of the Governors Speech

*Ordered* That the Confideration of the *Act for Appointing Rangers And for Increasing their Pay* (Refer'd to this Day) be further Refer'd Till *Wednesday* next

The Houfe (according to Order) proceeded to take into further Confideration the Report made by the Comittee appointed to Confider of that part of the Governors Speech Relating to the Capitol and the City of *Williamsburgh*

And upon further Confideration of the Said Report

*Resolved* That *John Holloway Holloway* and *John Clayton Gent* be impower'd to Account with and Receive of the Trustees for the City of *Williamsburgh* and all others Concerned All Such Sum or Sums of Money as have been by them Received for Lots taken up in the Said City And all Such Moneys as have been Lodged in the hands of any other perfon for the ufe of the Said City And that So much thereof as Shall be Neceffary for Defraying the Charge of Refurveying and Marking out a New the Bounds and Streets of the Said City And for Repairing the Capitol be appropriated for thofe Purpofes And the Remainder, if any, be to be by the Said Gentlemen Accounted for to the General Affembly

*Ordered* That a Bill be brought in upon the Said Refolution And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

*Ordered* That it be an Infruction to the Said Committee That thefe Gentlemen be by a Clause in the Said Bill Impower'd (purfuant to a former Refolve of this Houfe) to Employ Workmen to make Such Repaires in and about the Said Capitol as by them fhall be thought Convenyent and neceffary

And alfo that it be an Infruction to the Said Committee that it be provided in the Said Bill That if the Charge of Repairing the Capitol be greater than the Moneys appropriated for that purpofe will pay and Satisfy that what Such Appropriated Moneys fhall fall Short of Such payment And fhall be Advanced by the Gentlemen Impower'd to employ Workmen for the making Such Repairs Shall be Reimburfed and paid back to them out of the Moneys arifing by the Dutys on Liquors and Slaves

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock

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*Tuesday November the 24<sup>th</sup> 1713.*

**A** BILL for preventing Frauds in Tobacco payments and for the better improving the Staple of Tobacco was Read a Second time

The Houfe Agreed to proceed to the Confideration of the Said Bill Paragraph by Paragraph

And upon Confideration of the firft Paragraph of the Said Bill, after a Debate, the Queftion was put, That the Said Paragraph be Agreed to without any Amendments It paffed in the Negative And thereupon

*Ordered* That the Said firft Paragraph be Committed for Amendments

And

And a Committee was Appointed for that purpose (to wit) Mr *Waller* Mr *Meriwether* Mr *Boufh* Mr *Tully* Mr *Robinson* and Mr *Gouldman* And they have power to call to their Assistance any of the Clerks in the Service of the House

*Ordered* That the Consideration of the other Paragraphs of the Bill be Refer'd till the Amendments to the first Paragraph be Reported

And then the House Adjourned till To Morrow Morning Ten a Clock

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*Wednesday November the 25<sup>th</sup> 1713.*

MR *Waller* Reported from the Committee to whom the first Paragraph of the Bill for preventing Frauds in Tobacco Payments And for the better Improveing the Staple of Tobacco was Committed That they had made Several Amendments to the Paragraph which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where the Same were Read, and the Question being put, That the Amendments be agreed to

It passed in the Negative

And the Said first Paragraph being Read Amendments were made by the House to the Paragraph

*Ordered* That the Consideration of the other Paragraphs of the Said Bill be Refer'd till To Morrow

The Orders of the Day being Read

*Resolved* That this House will upon *ffriday* morning next Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech

*Ordered* That the Consideration of the Continuance of the *Aff* for *appointing Rangers* And for *Increasing their pay* (Refer'd to this Day) be further Refer'd till *ffriday* next

And then the House Adjourned till To Morrow Morning Ten a Clock

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*Thursday November the 26<sup>th</sup> 1713.*

THE House (according to Order) proceeded to take into Consideration the Several Clauses and Paragraphs of the Bill for preventing frauds in Tobacco payments And for the better Improveing the Staple of Tobacco which were not Committed And the Same being Severally Read and Considered Several Amendments were made by the House to the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

And then the House Adjourned till To Morrow Morning Ten a Clock

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*Friday November the 27<sup>th</sup> 1713.*

MR *Samuel Harwood* moving for Leave to go into the Country on Extraordinary Occasions till *Tuesday* next Leave is accordingly given him

Mr *Soane* moving for Leave to be absent till *Munday* next Leave is accordingly given him

*Ordered* That Mr *Walk* and Mr *Simons* have Leave to go into the Country on Extraordinary Occasions

An Ingrossed Bill for preventing frauds in Tobacco payments and for the better Improveing the Staple of Tobacco was Read the third time

*Resolved* That the Bill do pass

*Ordered* That Mr *Holloway* and Nine Members more do Carry the Bill to the Council and desire their Concurrence thereunto

A Message from the Council by Mr *Robertson* That the Council have Agreed to the Bill Entituled an *Aff* To Enable William Smith Gentleman to sell and Dispose of certain  
Intailed

*Intailed Lands and Tenements Lying in the County of New Kent On Selling other Lands and Tenements lying in King William County of which he is Seized in fee to the Same Uses* with an Amendment to which they Desire the Concurrence of this House

And that the Council have made Sundry Amendments to the Bill Entituled *an Act to Refrain the keeping too Great a Number of Horfes and Mares* to which they also Desire the Concurrence of this House

The House proceeded to take into Consideration the Amendment made by y<sup>e</sup> Council To the Bill Entituled *an Act to Enable William Smith Gentleman to Sell and Dispose of certain Intailed Lands and Tenements Lying in the County of New Kent on Selling other Lands and Tenements lying in King William County of which he is Seized in fee to the Same Uses* And the Same being Read was agreed unto by the House.

And the Amendments propofed by the Council to the Bill Entituled *an Act to Refrain the keeping too Great a Number of Horfes and Mares* were Read and Some of the Amendments were agreed unto and others difagreed unto And a New Clause was Added by the House to the Bill

Ordered That the Committee of Propositions and Grievances Do Carry the Bill to the Council and Acquaint them that this House have Agreed to Some of the Amendments by them Propofed to the Said Bill And to others have Difagreed And have Added a New Clause to the Bill And desire their Concurrence thereunto

The Orders of the Day being Read

*Resolved*

That this House will upon *Munday* Morning next Resolve it Self into a Committee of the whole House to Consider further of the Governors Speech

Ordered That the Consideration of the Continuance of the *Act for Appointing Rangers and for Increasing their Pay* (Refer'd to this Day) be further Refer'd till *Munday* next

And then the House Adjourned till To Morrow Morning Ten a Clock

*Saturday November the 28<sup>th</sup> 1713.*

**M**R *Holloway* (according to Order) presented to the House a Bill to Impower *John Holloway* and *John Clayton* Gentlemen to Receive of the Trustees for the City of *Williamfburgh* And of all other Persons whatsoever All Moneys by them Received for Lots of Land and otherwise for the benefit of the Said City And to Apply Such Moneys to certain Uses And the Same was Received and Read the first time And Ordered to be Read a Second time

And then the House Adjourned till *Monday* Morning Ten a Clock

*Monday November the 30<sup>th</sup> 1713.*

**A**PETITION of *Miles Cary* Clerk of the Committee for Publick Claims was presented to the House and Read Praying that he may have Leave to go into the Country for Recovery of his health Leave was accordingly given him Till *ffriday* next

M<sup>r</sup> *Eskridge* Reported from the Committee for Publick Claims That the Said Committee had taken into Consideration the Several claims to them Refer'd And therein had Agreed upon Several Resolutions which they had Enter'd into a Book called the Book of Reports of the Committee for Publick Claims which he presented to the House And the Same was Received

Ordered That the Said Book of Reports be taken into Consideration To Morrow Morning

A Bill to Impower *John Holloway* and *John Clayton* Gent to Recieve of the Trustees for the City of *Williamfburgh* And of all other persons whatsoever All Moneys by them Received

Received for Lotts of Land and otherwise for the benefit of the Said City and to apply Such Moneys to certain uses was Read a Second time and comitted

The Orders of the Day being Read for the Houfe to Refolve it Self into a Committee of the whole Houfe to Confider further of y<sup>e</sup> Governors Speech

And for the Consideration of the Continuance of the *Act for Appointing Rangers And for Increasing their Pay*

*Ordered* That the Committee of Propofitions and Grievances with ffour Members more wait upon the Governor and know his pleafure in Relation to the Rangers And the Settlement of the Indians mentioned in his Speech

Mr *Holloway* Acquainted the Houfe That the Governor having (according to Order) been waited upon to know his pleafure concerning the Rangers And the Settlement of the Indians. His Honour was pleafed to Say he would Send his Anfwer as Soon as poffible.

*Refolved* That this Houfe will (when they know the Governors answer) Refolve it Self into a Committee of the whole Houfe to Confider further of his Honours Speech

*Ordered* That the Consideration of the Continuance of the *Act for Appointing Rangers And for Increasing their pay* (Refer'd to this day) be further Refer'd till the Governors Anfwer be Sent down

And then the Houfe Adjourned till To Morrow Morning Ten a Clock

*Tuesday December 1<sup>st</sup> 1713.*

THE Houfe (according to Order) proceeded to take into Consideration the Book of Reports of the Committee for Publick Claims And the Same was Read and with Some Amendments Agreed to by the Houfe And the ufual Allowance to the Officers of the Affembly were Added by the Houfe to the Book

*Ordered* That the Committee for Publick Claims do Carry the Book to the Council and defire their Concurrence thereunto

A Meffage from the Governor by Mr *Robertfon*

Mr *Speaker*

I am Commanded by the Governor to Return to this Houfe a Written Meffage in Anfwer to the Meffage fent yefterday by this Houfe to his Honour And he prefented the Same to the Houfe

Mr *Robertfon* alfo Acquainted the Houfe that the Council have Agreed to the Bill Entituled an *Act for Dividing S<sup>t</sup> Marys Parifh* with fome Amendments To which the Council Defire the Concurrence of this Houfe

The written Meffage from the Governor was Read as followeth *Viz<sup>t</sup>*

Mr *Speaker* And Gentlemen of the Houfe of Burgeffes

At the Opening of this Seflion I gave you to underftand that there was a Treaty on foot for Securing the Frontiers and expected Ere now to have been able to lay it before you: but the Indian Deputys who came hither to beg for a Peace, And promifed to Return with Such others of their chief Men as Should be fully Impowered to Agree to the Articles and Terms upon which it Should be thought reafonable to conclude it, have neither come in according to the time appointed nor Signified to me whether they ever Design it So that I can at this prefent Acquaint you with no other Matters relateing to thofe Indians than what I am Informed of by the Letter which I herewith Send you. And Since it thereby appears that thefe Indians are very Numerous and come down very near our Frontiers I can by no means Advife you to Difcontinue the Rangers at this time or before Some other Meafures be taken for the Security of the Country, And as Matters have fallen out I do not See that the Settlements I propofed can be conveniently compaffed During this Seflion of Affembly Wherefore if you have any Confidence in my Management and Shall think it Advifeable to put in Such a Claufe in the new Rangers Bill as may impower me to Difband at any time all or So many of the Rangers

as I please And to Apply what you Appropriate for their pay to any other Service as I shall Judge to be more for the Security of the Frontiers I shall then endeavour to lay hold of all Occasions for the better protection of your Outward Inhabitants And Do now Assure you that the two Points I will have in View shall be the Lessening the present charge for future Years And the Settling the Indian Trade So as it may be free and Open to all persons.

*A: Spotswood*

*Ordered* That the Said Message Do Lye upon the Table

*Mr Holloway* Reported from the Committee to whom the Bill to Impower *John Holloway* and *John Clayton* Gentlemen to Receive of the Trustees for the City of *Williamsburgh* And of all other persons whatsoever All Moneys by them Received for Lots of Land and Otherwise for the benefit of the Said City And to Apply Such Moneys to certain Uses was Committed That they had made Several Amendments to the Bill And an Amendment to the Title of the Bill which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where the Same were Read and Agreed unto by the House and Some other Amendments were made by the House to the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

The Orders of the day being Read

*Resolved* That this House will to Morrow Morning proceed to take into Consideration the Governors written Message together with those parts of the Governors Speech not yet Considered And also the Continuance of y<sup>e</sup> Act for Appointing Rangers and for Increasing their pay

And then the House Adjourned till To Morrow Morning Ten a Clock

*Wednesday December the 2<sup>d</sup> 1713.*

**A**N Ingrossed Bill to Impower *John Holloway* and *John Clayton* Gentlemen to Receive of the Trustees for the City of *Williamsburgh* And of all other persons whatsoever All Moneys by them Received for Lots of Land and otherwise for the benefit of the Said City And the Sum of Two hundred and One pounds Nine Shillings and Nine pence of *Robert Carter* Esquire And to apply Such Moneys to certain Uses was Read the third time

*Resolved* That the Bill do pass

*Ordered* That the Committee that prepared the Bill Do Carry the Same to the Council And desire their Concurrence thereunto

The House (according to Order) proceeded to take into Consideration the Governors written Message of yesterday Together with those parts of his Honours Speech not yet Considered And also the Continuance of the Act for Appointing Rangers And for Increasing their pay

*Resolved* *Nomine Contradicente*

That a Bill be brought in for Continuing the Act for appointing Rangers And for Increasing their Pay And that the Governor be Impowered by the Said Bill to Disband at any time all or So many of the Rangers as he Shall think fit And Apply what shall be Appropriated for their Pay to any other Service as his Honour shall Judge to be more for the Security of the frontiers

*Ordered* That the Committee of Propositions and Grievances Do prepare and bring in the Bill

A written Message from the Governor by *Mr Robertfon*  
*Mr Speaker and Gentlemen of the House of Burgeffes*

*December the 2<sup>d</sup> 1713.*

I am Commanded by her Majestys Instructions to Transmit yearly an Account of all Births Christnings and Burialls within this Colony And there is an Act of Assembly passed in the year 1661 which Enjoyns Parishoners to make Such Returns And the Parish Clerks

Clerks to keep Such Registers But Seeing People look upon that Law to be obsolete that notwithstanding the Precepts I have Sometime ago Sent into the Several Countys of this Government for the Due observance thereof I cannot obtain any just or regular Lifts from those Clerks Wherefore I hope you will Agree with me that a Law should now be made whereby I may be for the future Enabled to Comply with her Majestys Orders in that behalf

I take this Occasion to let you know that having Represented the Case of those persons who took up large Tracts of Land in expectation of Grants upon the terms mentioned in Some former Laws I find by the Letters I have lately Received that there is not any Likelyhood of her Majestys Receding from the terms of her Instructions given me for passing future Grants of Lands but Since as well the Gentlemen of the Council as others having pretensions to large Tracts of Land Seem Satisfied that an Explanation of that Instruction according to the Bill Sent you last Session would be very much for the Ease of the Subject And is well Suited to the Circumstances of the Country You have it now in your power to pass her Majestys Instruction into a Law (according to her Maj<sup>ty</sup>s gracious permission) with Conditions not only practicable but Advantageous for the People you Represent Otherwise I am obliged Strictly to pursue the purport of that Instruction which must be Deemed as Valid as the Charter and a Standing Rule to me

*A: Spotjwood*

The House proceeded to the Immediate Consideration of the Said Message and thereupon.

*Resolved* That a Bill be brought in upon the Subject Matter of the first Paragraph of the Said Message

*Resolved* That a Bill be brought in upon the Subject Matter of the other Paragraph of the Said Message

*Ordered* That the Committee of Propositions and Grievances Do prepare and bring in the Bills

A Message from the Council by Mr *Robertson*

That the Council having now under Consideration the Bill sent up from this House for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco and finding therein Some Clauses of the meaning of which they are desirous to be more clearly Satisfied And that there are other parts of the Bill to which they intend to propose Some Amendments therefore in Order to the well finishing a Bill of So Great benefit to y<sup>e</sup> Country the Council Desire a free Conference with this House upon the Subject Matter of the Said Bill

*Resolved* That this House Do Agree to the free Conference Desired by the Council

*Ordered* That Mr *Holloway* with five Members more do go to the Council and Acquaint them that this House have Agreed to the Conference by them desired

Mr *Holloway* Reported that (according to Order) the Council have been Acquainted that this House have Agreed to the Conference by them Desired

A Message from the Council by Mr *Robertson*. That the Council have appointed Three of their Members to Meet Such a Number of Burgeesses as this House shall think fit to Manage the Conference upon the Subject Matter of the Bill for preventing frauds in Tobacco payments And for the better Improving the Staple of Tobacco And that the Managers for the Council will be ready in the Conference Room To Morrow at twelve a Clock

Mr *Holloway* Mr *William Robinson* Mr *Eskridge* Mr *Soane* Mr *Christopher Robinson* and Mr *Waller* were Appointed Managers for the House in the Said Conference And Ordered to meet the Council according to their Appointment

And then the House Adjourned till To Morrow Morning Ten a Clock.

*Thursday*

*Thursday December the 3<sup>d</sup> 1713*

**M**<sup>R</sup> Holloway Reported That the Managers appointed by this Houfe have (according to Order) had a free Conference with the Managers for the Council upon the Subject Matter of the Bill Entituled *an Act for preventing frauds in Tobacco payments and for the better improveing the Staple of Tobacco* And that the Council had propofed Several Amendments to the Bill And offered their reasons for thofe Amendments And had Delivered to him the Amendments in Writing which he prefented to the Houfe And the Same were Received And the Title thereof was Read

*Ordered* That the Said Amendments be taken into Confideration to Morrow Morning

<sup>M</sup><sup>R</sup> Holloway (according to Order) prefented to the Houfe a Bill for Continuing *an Act for Appointing Rangers And an Act to Continue an Act for Appointing Rangers And for Encreafing their pay and alfo to Impower the Lieu<sup>t</sup>. Governor to Difband the Rangers and to Apply the Pay appropriated for them to any other ufe which he fhall think fit for the better Security of the frontiers* And the Same were Received and Read the firft time And Ordered to be Read a Second time

And then the Houfe Adjourned till To Morrow Morning Ten a Clock

*Friday December the 4<sup>th</sup> 1713.*

**T**<sup>H</sup>E Houfe proceeded to take into Confideration the Amendments propofed by the Council To the Bill Entituled *an Act for Dividing S<sup>t</sup>. Marys Parifh* And the Same was Read And Agreed to by the Houfe

*Ordered* That the perfons that prepared the Bill Acquaint the Council that this Houfe have Agreed to the Amendments propofed by their Honours to the Said Bill.

A Bill for Continuing *an Act for Appointing Rangers And an Act to Continue an Act for Appointing Rangers and for Increefing their pay And alfo to Impower the Lieu<sup>t</sup>. Governor to Difband the Rangers And to Apply the Pay appropriated for them to any other ufe which he fhall think fit for the better Security of the frontiers* was Read a Second time

*Ordered* That the Bill be Ingroffed

The Houfe (according to Order) proceeded to take into Confideration the Amendments propofed by the Council to the Bill Entituled *an Act for preventing frauds in Tobacco payments And for the better Improveing the Staple of Tobacco* And the Same were Read and Some of the Said Amendments were Agreed unto And Some difagreed unto and a new Amendment was propofed by the Houfe to the Bill

*Resolved* That the Council have Leave to Amend the Bill according to the Amendment propofed by this Houfe

*Ordered* That the Managers for the Houfe in the Conference yesterday upon the Subject Matter of the Said Bill Do acquaint the Council with the proceedings of this Houfe upon the Said Amendments

A Meffage from the Council by <sup>M</sup><sup>R</sup> Robertfon. That the Council do Inftit on one of the Amendments by them propofed to the Bill Entituled *an Act to Reftrain the keeping too Great a Number of Horfes and Mares* and Do Recede from their other Amendments And have Agreed to Some of the Amendments propofed by this Houfe to the Bill And to Some have Difagreed And have propofed new Amendments to the Bill And he prefented to the Houfe a Paper relating thereto

*Ordered* That a Bill be brought in for Supply of certain Defects found in an Act Entituled *an Act for Laying a Duty on Liquors and Slaves* And that <sup>M</sup><sup>r</sup> Eskridge <sup>M</sup><sup>r</sup> Christopher Robinson <sup>M</sup><sup>r</sup> Boufh <sup>M</sup><sup>r</sup> Waters and <sup>M</sup><sup>r</sup> Curle Do prepare and bring in the Bill.

An



An Ingrossed Bill for Continuing an Act for Appointing Rangers And an Act to Continue an Act for Appointing Rangers and for Increasing their pay And also to empower the Lieu<sup>t</sup>. Governor to Disband the Rangers And to Apply the Pay Appropriated for them to any other use which he Shall think fit for the better Security of the frontiers was Read the third time

*Resolved* That the Bill do pass

*Ordered* That the persons that prepared the Bill Do Carry the Same to the Council and Desire their Concurrence thereunto

Mr *Holloway* (according to Order) presented to the House a Bill for Registering Births Christnings and Burialls And the Same was Received and Read the first time and Ordered to be Read a Second time

Then the House took into Consideration the Councils Message and Paper relating to the Amendments proposed to the Bill Entituled an Act to *Restrain the keeping too Great a Number of Horses and Mares* And the Same was Read and Agreed unto by the House.

And then the House Adjourned till To Morrow Morning Ten a Clock

*Saturday December the 5<sup>th</sup> 1713.*

Mr *Holloway* (according to Order) presented to the House a Bill Declaring what Shall be Accounted a Sufficient Seating and Planting of Lands already Granted or hereafter to be taken up and Patented And y<sup>e</sup> Same was Received and Read the first time And Ordered to be Read a Second time

A Bill for Registering Births Christnings and Burialls was Read a Second Time.

*Ordered* That the Bill be Ingrossed

And then the House Adjourned till Monday Morning Ten a Clock.

*Monday December the 7<sup>th</sup> 1713.*

A BILL Declaring what Shall be Accounted a Sufficient Seating and Planting of Land already Granted or hereafter to be taken up and Patented was Read a Second time and committed

A Message from the Governor by Mr *Robertson*

Mr *Speaker*

I am Commanded by the Governor to Deliver to this House his Honours written Message concerning the Money appropriated the Last Session of Assembly for the Relief of *North Carolina* together with Some Accounts and Vouchers relating thereto And he presented the Same to the House

An Ingrossed Bill for Registering Births Christnings and Burialls was Read the Third time And an Amendment was made by the House to the Bill

*Resolved* That the Bill Do pass

*Ordered* That the persons that prepared the Bill Do Carry the Same to the Council and Desire their Concurrence thereunto

Then the written Message from the Governor was Read as followeth *vizt.*

Mr *Speaker* and Gentlemen of the House of Burgeffes

I herewith Send you a particular Accompt of what has been expended out of the Sum you appropriated last Session for the Relief of *North Carolina* and as the proper Vouchers that accompany it may Sufficiently testify that there has been no Fraud So I am perswaded each Article will Shew that there has been neither Extravagance nor negligence in the Disbursements And I can further Assure you that very material Expence has been allways first Resolved of in Council.

I have not only Supplied that Distracted Province with more Clothing than their President asked and furnished whatever Ammunition and Stores of War he wrote for but have also pressed that Government by repeated Letters to give me a Meeting at Such time and place as their President should think convenient in Order to concert the most effectual measures for our Affixing them; and even at last to urge them to it, I undertook in the Depth of Winter a Journey to *Southkey* but it was thought fitting to Send to meet me there only two persons who had no other powers than to Receive the Cloathing and to hear what I had to propose And those Deputys plainly Declared that if I Marched any Men to their Assistance I was not to Expect from their Country and Provisions for them, And that tho their Assembly by their Address (which moved you Gentlemen of the House of Burgeesses to Grant the Supply last Session) had Solemly promised to provide the Same, yet would not their Government agree to give the least Security for reimbursing me if I did find out means to furnish Provisions. Thus have I been necessitated to confine my undertakings against the *Tuscarora* Indians to this Side of *Roanoke* River where I might have it in my Power to Sustain the men that were Commanded out. And as I have in this Service chiefly made use of the Rangers who are paid by another fund And of our Tributary Indians who are always willing to March out for Small Rewards I have not expended half the Sum I was intrusted with: But Seeing that after all my zealous endeavours and the trouble and expences I have my Self for these three years last past been at in behalf of our Neighbours of *North Carolina* they have continually frustrated my Designs and put the worst construction upon them how honestly or Affectionately Soever I Laid them for that Countrys Service I must now Desire to Surrender my trust not doubting but the Seven hundred and odd pounds which remain can be readily applied for the Security and benefit of Such of her Majesty's Subjects as will not prove ungrateful

*Ordered* That the Said Message together with the Accompts relating thereto be taken into Consideration to Morrow Morning

A Message from the Council by Mr *Robertson* That the Council have agreed to the Bill Entituled an *Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco* with the Amendments Agreed to by this House And have inserted the Said Amendments in the Bill

Mr *Holloway* Reported from the Committee to whom the Bill Declaring what Shall be Accounted a Sufficient Seating and Planting of Land already Granted or hereafter to be taken up and Patented was Committed that the Said Committee had made Several Amendments to the Bill which they had Directed him to Report to the House which he Read in his Place and afterwards Delivered in at the Table where the Same were Read and Agreed to by the House

*Ordered* That the Bill with the Amendments be Ingrossed

Upon a Motion of Mr *Christopher Robinjon*

*Ordered* That it be a Note on the Journal that if by Law he ought to be Allowed by the Country for a Negroman of his named *Forty Drowned* in *Lancaster* County he be not hereafter bar'd making his Claim for the Value of the Said Negro This being the Second Session of Assembly Since the Said Negro was Drowned

And then the House Adjourned till To Morrow Morning Ten a Clock.

*Tuesday December the 8<sup>th</sup> 1713.*

A MESSAGE by Mr *Robertson*  
Mr *Speaker*

I am Commanded by the Governor to Deliver to this House a written Message relating to the Overseer of the Governours House and his Accompts and he presented the Same to the House

I am also Commanded by the Council to acquaint this House that their Honours have Agreed to the Bill Entituled *an Act for appointing Rangers And an Act to Continue an Act for appointing Rangers and for increasing their pay And also to Impower the Lieu. Governor to Disband the Rangers And to Apply the Pay appropriated for them to any other use which he Shall think fit for the better Security of the Frontiers* without any Amendments

And that the Council have proposed Some Allowances to be Added to y<sup>e</sup> Book of Claims to which they Desire the Concurrence of this House

The House proceeded to the Immediate Consideration of the Councils Propofall of Allowances to be Added to the Book of Claims And the Same was Read and Agreed to by the House.

*Ordered* That it be Refer'd to the Committee of Claims to make the Said Allowances in the Book

Then the House proceeded to the Consideration of the Governors Message of this Day And the Same was Read as followeth *Vizt*

*Mr Speaker and Gentlemen of the House of Burgeses*

I have now Ordered the Overfeer of the Governors House to Attend you with his Accompts that you may thereby observe the Building has been carried on notwithstanding no part of the Nine hundred pounds you last appropriated is yet Raised for tho the Allowing no Interest for that Sum might pass for Frugall Management Yet I Judge it would Still be ill husbandry to Suffer unfinished works to Stand long exposed And an Overfeers Sallary to Run on while nothing was Doing or at best to hire Workmen upon Credit And therefore where ever any Money has been wanting I have Supplied it

What now remains to be finished may in my opinion be either let out or performed by So few Workmen as the Country needs no longer be at the Expence of an Overfeer for I will take care of the Works of those Gentlemen who are intrusted with the Repaires of y<sup>e</sup> Capitol or Some others have the Charge of the Accompts

*December* the 8<sup>th</sup> 1713.

*A: Spotswood*

*Ordered* That the Overfeer of the Governors House Do lay before this House his Accompts

An Ingrossed Bill Declaring what shall be Accounted a Sufficient Seating and Planting of Land already Granted or hereafter to be taken up and Patented was Read the Third time And an Amendment was made by the House to the Bill.

*Resolved Nomine Contradicente*

That the Bill Do pass

*Ordered* That the persons that prepared the Bill Do Carry the Same to the Council and Desire their Concurrence thereunto

The Accompts of the Overfeer of the Governors House were (according to Order) presented to the House and the Same were Received

*Ordered* That M<sup>r</sup> Soane M<sup>r</sup> Waller and M<sup>r</sup> Meriwether Do inspect and examine the Said Accompts and Report their Opinions thereon

The House (according to Order) proceeded to the Consideration of the Governors Message of Yesterday relating to the Moneys appropriated for the Relief of *North Carolina* And the Same was Read by M<sup>r</sup> Speaker.

*Resolved* That an Address be presented to the Governor upon the Said Message

*Ordered* That the Committee of Propositions and Grievances Do prepare and bring in the Address

The House upon Consideration of the Accompt of *Andrew Woodley* for Services mentioned in the Said Accompt are of Opinion that he be Allowed for the Said Services Two and Twenty shillings

M<sup>r</sup> Eskridge Reported from the Committee to whom it was Refer'd to make the Allowances proposed by the Council in the book of Claims that they had made the Same in the Book accordingly

*Ordered*

Ordered That the Said Committee Do Carry the Book to the Council and Acquaint them that this House have Agreed to the Allowances propofed by their Honours to be Added to the Book of Claims And that the Same are Entered in the Book

A Committee for Proportioning the Publick Levy *Viz*

Mr Soane.....Mr Eskridge

Mr Conway.....and

Mr Boujh.....Mr Waller

And then the House Adjourned till To Morrow Morning Ten a Clock.

*Wednesday December the 9<sup>th</sup> 1713.*

**M**R Holloway Reported from the Committee appointed to prepare an Addrefs to the Governor upon his Honours Meffage of the Seventh Instant That they had prepared an Addrefs Accordingly Which they had Directed him to Report to the House Which he Read in his place And afterwards Delivered in at the Table where the Same was Read and Agreed unto by the House and is as followeth *Viz*

*To the Honourable Alex<sup>r</sup> Spotwood her Majestys Lieu<sup>t</sup>. Governor of Virginia  
The Humble Addrefs of the House of Burgeffes  
May it please your Honour*

When We Considered your Meffage Sent to us the Seventh of this Instant December We thought our Selves highly Obligated to Return your Honour the Thanks of this House for the Juft Care you have been pleased to take in Managing the Supplys given for the Service of *North Carolina* So Agreeably to the Intent for which they were Designed

We are Sensible of the zeal your Honour has Shewed to Relieve a People Represented to be in the most Deplorable State And if after the Earneft Endeavours used by you to perswade them into Measures for their preservation they have been So far wanting to themselves as unreasonably to Slight and Neglect all Opportunitys Offered for their Security. We humbly hope her Majesty will be So Gracious to believe her Subjects of *Virginia* have done their Duty in chearfully Offering their Affittance to their fellow Subjects in Distress

We are entirely well Satisfyed with your Honours Conduct in the Dispositions you have made and the Methods We apprehend you have in View for the Security of our Frontiers And if you shall Judge the Necessarys required for Guarding the Same may be better provided by Money than the Allowance made by Law to Rangers for that Service We shall be willing your Honour should Apply So much of the Money given for the Affittance of *North Carolina* not yet disposed of as you shall think Necessary for that use

*December the 9<sup>th</sup> 1713.*

Ordered That the Said Addrefs be fairly transcribed and Signed by Mr *Speaker*.

Ordered That the Addrefs be presented to the Governor by Such of the Members of this House as prepared the Same with as many other Members as shall make the Number Twenty

Mr Soane Reported from the Committee to whom it was Refer'd to Inspect and Examine the Accounts of the Overfeer of the Governours House that they have accordingly Examined the Said Accompts And find the Same to be Right.

Then the House proceeded to the Consideration of that part of the Governors Meffage of yesterday which Relates to the finishing the Governors House And the Same was Read and thereupon

Resolved That the Governor be Desired that he would be pleased to take care of Finishing the Work And that the Overfeer be Discharged

Ordered That a Clause be brought in to be Added to the Bill to Impower *John Holloway* and *John Clayton* Gentlemen to Receive of the Trustees for the City of *Williamfburgh* And of all other persons whatsoever All Moneys by them Received for Lotts

of Land And otherwise for the benefit of the Said City And the Sum of Two hundred and One pounds Nine shillings and Nine pence of *Robert Carter* Esquire And to Apply Such Moneys to certain uses Also to Impower them the Said *John Holloway* and *John Clayton* to have the Charge of the Accompts for Finishing the Governours House

*Resolved* That what shall be Expended in Finishing that work be paid out of the Moneys Arising by the Dutys on Liquors and Slaves

A Message from the Council by *Mr Robertson*. That the Council have Agreed to the Book of Claims And have Obtained the Governours Assent thereto

And then the House Adjourned till To Morrow Morning Ten a Clock

*Thursday December the 10<sup>th</sup> 1713.*

**M***R Holloway* Reported that the Persons appointed had this Day Attended the Governor with the humble Address of this House And that his Honour was pleased thereupon to Give this Answer *Vizt*

I thank your House very kindly for this Address that they put So much Confidence in me, it cannot but be very pleasing to me that the Eye witnesses of my Conduct approve my Management

*Mr Holloway* (according to Order) presented to the House a Clause to be Added to the Bill to Impower *John Holloway* and *John Clayton* Gent<sup>s</sup> to Receive of the Trustees for the City of *Williamsburgh* And of all other persons whatsoever All Moneys by them Received for Lots of Land and otherwise for the benefit of the Said City And the Sum of Two hundred and One pounds Nine shillings and Nine pence of *Robert Carter* Esquire And to Apply Such Moneys to certain uses And the Same was Received and twice Read at y<sup>e</sup> Table And agreed unto by the House

*Ordered* That the persons that prepared the Clause Do Carry the Same to the Council And Acquaint their Honours that this House have Agreed that y<sup>e</sup> Said Clause be Added to the Bill by way of Amendment And desire their Honours Concurrence thereunto

*Mr Eskridge* Reported that the persons appointed had (according to Order) Proportioned the Publick Levy And that it Amounted to Twenty pounds of Tobacco & Poll And he presented to the House a Book of the Proportions And the Same was Received Read and Agreed unto by the House

*Ordered* That the persons that proportioned the Levy Do carry the Said Book to y<sup>e</sup> Council And desire their Concurrence thereunto.

*Ordered* That a Bill be brought in for Raising a Publick Levy And that the Committee for Proportioning the Publick Levy Do prepare and bring in the same

And they were Directed to withdraw immediately to prepare the Bill And they withdrew accordingly

And being Returned

*Mr Eskridge* Reported from the Said Committee that they had prepared the Said Bill which he presented to the House And the Same was Received and Read the first time And Ordered to be Read a Second time

*Resolved* and Accordingly *Ordered*

That the Several persons to whom Money Allowances are made in y<sup>e</sup> Book of Claims be paid their respective Allowances out of the Moneys that shall Arise from the Acts Laying Impositions upon Liquors and Slaves next after the Money Appropriated this Session for Finishing y<sup>e</sup> Governours House shall be paid And that the said Payments be made in the Order they Stand in the Said Book of Claims

A Message from the Council by *Mr Robertson*

That the Council have Agreed to the Book of Proportions and have obtained the Governours Assent thereunto

That

That the Council have Agreed to the Clause propofed by this Houfe to be Added to the Bill Entituled *an A<sup>d</sup> to Impower John Holloway and John Clayton Gentlemen to Receive of the Truftees for the City of Williamfburgh And of all other perfons whatfoever All Moneys by them Recieved for Lots of Land and Otherwife for the benefit of the Said City And the Sum of Two hundred and One pounds Nine Skillings and Nine pence of Robert Carter Efquire And to Apply Such Moneys to certain Ufes* And have propofed Some Amendments of their own to the Bill And an Amendment to y<sup>e</sup> Title of the Bill to which they Defire the Concurrence of this Houfe

And that their Honours have agreed to the Bill Entituled *an A<sup>d</sup> for Registering Births Chriftnings and Burialls* with fome Amendments To which they alfo defire the Concurrence of this Houfe

The Houfe proceeded to the Immediate Confideration of the Said Several Amendments And the Same were Read and Agreed unto by the Houfe

*Ordered* That the perfons that prepared the Bills Do acquaint the Council that this Houfe have Agreed to the Amendments by them propofed to the Said Bills.

A Bill for Raifing a Publick Levy was Read a Second time

*Ordered* That the Bill be Ingroffed

And then the Houfe Adjourned till To Morrow Morning Ten a Clock.

### *Friday December the 11<sup>th</sup> 1713.*

**A** BILL for Raifing a Publick Levy was Read the Third Time  
*Refolved* That the Bill do pafs

*Ordered* That the Committee of Claims Do Carry the Bill to the Council

And alfo the Refolve of Yefterday for Payment of the Money Allowances made in the Book of Claims And Defire their Honours Concurrence thereunto

*Ordered* That M<sup>r</sup> Littlebury Epes M<sup>r</sup> Francis Epes M<sup>r</sup> Allerton M<sup>r</sup> Conway M<sup>r</sup> Waller and M<sup>r</sup> Ball Do Examine the Several Inrolled Bills with y<sup>e</sup> Ingroffed Bills

A Meflage from the Council by M<sup>r</sup> Robertfon That the Council have Agreed to the Refolve of this Houfe relating to the payment of the Money Allowances made in the Book of Claims

And that the Council have propofed Several Amendments to the Bill Entituled *an A<sup>d</sup> Declaring what fhall be Accounted a Sufficient Seating and Planting of Lands already Granted or hereafter to be taken up and Patented* And an Amendment to the Title of the Bill to which they Defire the Concurrence of this Houfe.

The Houfe proceeded to the immediate Confideration of the Said Amendments And the Same were Read and Agreed unto by the Houfe

*Ordered* That the Committee of Propositions and Grievances Do Acquaint y<sup>e</sup> Council that this Houfe have Agreed to the Amendments propofed by their Honours to the Bill Entituled *an A<sup>d</sup> Declaring what fhall be accounted a Sufficient Seating and Planting of Lands already Granted or hereafter to be taken up and Patented*

A Meflage from the Council by M<sup>r</sup> Robertfon. That the Council have Agreed to the Bill Entituled *an A<sup>d</sup> for Raifing a Publick Levy* without any Amendments

And then the Houfe Adjourned till To Morrow Morning Eight a Clock

### *Saturday December the 12<sup>th</sup> 1713.*

**M**R Littlebury Epes Reported that the perfons appointed had (according to Order) Examined the Several Inrolled Bills by the Ingroffed Bills and that the faid Bills are truly inrolled

*Ordered* That the Gentlemen that Examined the Inrolled Bills Do carry the Same to the Council for their perufal

A Message from the Council by Mr *Robertson* That the Council have perused and Examined the Bills Sent up by this House and are Satisfied that the Same are truly Inrolled

A Message from the Council by Mr *Robertson*  
Mr *Speaker*

The Governor Commands the Immediate Attendance of this House in the Council Chamber And that you bring with you Such Bills as are ready for his Assent. Accordingly Mr *Speaker* with the House went up to Attend the Governor in the Council Chamber where he was pleased to pass the Several Bills following Vizt

*An Act for preventing frauds in tobacco payments and for the better Improving the Staple of Tobacco*

*An Act for Continuing an Act for Appointing Rangers And an Act to Continue an Act for Appointing Rangers and for increasing their Pay And also to empower the Lieu! Governor to Disband y<sup>e</sup> Rangers And to apply the pay appropriated for them to any other use which he Shall think fit for the better Security of the frontiers*

*An Act Declaring what shall be Accounted a Sufficient Seating Planting Cultivation and Improving of Lands already Granted or hereafter to be taken up and Patented*

*An Act for Registering Births Christnings and Burialls*

*An Act to Continue an Act intituled an Act for Supply of certain Defects found in an Act prescribing the method for appointing Sheriffs*

*An Act for Continuing an Act Entituled an Act for the Regulation and Settlement of fferrys And for dispatch of Publick Expresses*

*An Act for Reviving and Continuing an Act Entituled an Act prohibiting Seamen being Harboured or Entertained on Shoar*

*An Act to Restrain the keeping too Great a Number of Horses and Mares*

*An Act to Impower John Holloway and John Clayton Gent to Recieve of the Trustees for the City of Williamsburgh And of all other persons whatsoever All Moneys by them Recieved for Lots of Land and otherwise for the benefit of the Said City And the Sum of Two hundred and One pounds Nine Shillings and Nine pence of Robert Carter Esq<sup>r</sup>. And to Apply Such Moneys to certain uses. And also Impowering them to keep the Accounts of the Governors House and Directing the finishing of the Same*

*An Act for Raising a Publick Levy*

*An Act for Dividing S<sup>t</sup>. Marys Parish*

*An Act to enable William Smith Gentleman to Sell and Dispose of certain Intailed Lands and Tenements Lying in the County of New Kent On Selling other Lands and Tenements Lying in King William County of which he is Seized in fee to the Same uses.*

1875

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# JOURNAL

OF THE

## HOUSE OF BURGESSES.

AT A

### GENERAL ASSEMBLY

Begun at the Capitol the Twenty Second Day of *October* in the Eleventh Year of the Reign of her late Majesty Queen ANN And in the Year of Our Lord 1712 And thence Continued by Several Prorogations to the Sixteenth Day of *November* in the Frst Year of the Reign of Our Sovereign Lord GEORGE by the Grace of God of *Great Brittain ffrance and Ireland* King Defender of the faith &c Annoq<sub>3</sub> Dom<sup>i</sup> 1714.

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RICHMOND, VIRGINIA.

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# JOURNAL

of the

## HOUSE OF BURGESSES.

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*Tuesday November the 16<sup>th</sup> 1714.*

**M**R *Speaker* and the Members present to the Number of One and Thirty having taken the Oaths and made and Subscribed the Declaration according to the Laws made for those purposes and having taken the Oath of a Burgefs met in the Houfe

*Ordered* That the Houfe be called over to Morrow Morning.

And then the Houfe Adjourned Till To Morrow Morning Ten a Clock.

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*Wednesday November the 17<sup>th</sup> 1714.*

**S**EVERAL other Members having taken the Oaths and made and Subscribed the Declaration according to the Laws made for those purposes And having taken the Oath of a Burgefs were Admitted to their Places in the Houfe

*Ordered* That Mr *Waller* Mr *Meriwether* Mr *Armistead* and Mr *Barbar* wait on y<sup>e</sup> Governor and Desire him to issue out a new Writt for the Electing a Burgefs to Serve in this Affembly for the County of *King William* in the Room of *Henry Fox* Gentleman Deceased And that they also Desire his Honour to issue out a new Writt for the Electing a Burgefs to Serve in this Affembly for the County of *Elizabeth City* in the Room of *Nicholas Curle* Gentleman deceased

The Houfe (according to Order) was call'd over.

*Ordered* That the Absence of those Members that did not appear at the calling over the Houfe be Excused till the next time the Houfe shall be called over

A Petition of *Benjamin Goodwin* Clerk was presented to the Houfe and Read Praying to be Continued Chaplain to the Houfe

*Ordered* That he be Continued Chaplain to the Houfe according to the Prayer of his Petition And that he give his Attendance each Morning in the Conference Room by Ten of the Clock and Read Divine Service

*Ordered* That *Thomas Francis Edward Dyer* and *George Rimington* be Continued Door keepers to the Houfe And that they give their Attendance accordingly

The Orders of the Houfe for the last Session being Read at the Table

*Resolved* That the Houfe Do approve the Same And that they be Continued Orders for this Session

*Ordered* That the Said Orders Lye constantly upon the Table for the perusal of the Members

*Ordered* That the Houfe be called over as often as Shall be thought convenient And that the Members who Shall be wanting in their Duty of Attendance be Lyable to the Censure of the Houfe.

*Resolved*

*Resolved* and accordingly *Ordered*

That it be a Standing Rule of this Houfe that Fifteen Members with the Speaker be a Sufficient Number to Adjourn.

A Committee for Elections and Priviledges

Mr *William Robinson* Chairman

Mr *Meriwether*.....Mr *Soane*

*Ordered* That Mr *Miles Cary* be Continued Clerk of the Said Committee and that he give his Attendance accordingly

A Committee for Publick Claims

Mr *Buckner* Chairman

Mr *Ball*.....Mr *Littlebury Epes*

Mr *John Robinson*.....Mr *Armistead*

Mr *Barbar*.....and

Mr *Christopher Neal*.....Mr *Marable*

*Ordered* That Mr *Miles Cary* be Continued Clerk of the Said Committee And that he give his Attendance accordingly

A Committee for Propositions and Grievances

Mr *Holloway* Chairman

Mr *William Robinson*.....Mr *Waller*

Mr *Meriwether*.....Mr *Gouldman*

Mr *Bolling*.....and

Mr *Soane*.....Mr *Francis Epes*

*Ordered* That Mr *John Clayton* be Continued Clerk of the Said Committee And that he give his Attendance accordingly

*Ordered* That the Committees have power to Adjourn themselves *De Die in Diem* and to Send for Perfons Records Journals and other Papers they Shall from time to time have Occasion of

*Resolved* and accordingly *Ordered*

That all Propositions Grievances and Publick Claims be brought into the Houfe on this Day Seven night at furtheft or not to be Received in this Seflion of Affembly without particular Leave of the Houfe.

*Ordered* That the Clerk of this Houfe Publish the furtheft time Set by the Houfe for Receiving Propositions Grievances and Publick Claims During this Seflion by Setting up a fair Copy of the Refolve of the Houfe made in that behalf

*Ordered* That the Committee of Propositions and Grievances Inspect the Journal of this Houfe at the laft Seflion and Report to the Houfe what they find neceffary to be taken into Confideration this Seflion

*Ordered* That the Committee for Publick Claims Inspect the Report of the Committee of Claims at the laft Seflion and Report to the Houfe what they find neceffary to be further Considered this Seflion

*Resolved* and accordingly *Ordered*

That all Petitions Propositions and Grievances Directed for the laft Seflion of Affembly And not then Considered be Admitted to the Confideration of this Seflion

Several Publick Claims from the Countys of

*New Kent*.....*York*

*Effex*.....and

*Prince George*.....*King William*

Were prefented to the Houfe and Referred to the Confideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the Houfe

Several Propositions from the Countys of *King William* and *Effex* were Read and Referr'd to the Confideration of the Committee for Propositions and Grievances to Report their Opinion thereon

A Petition of the Freeholders Houfekcepers and other Inhabitants of the City of *Williamsburgh* was presented to the Houfe and Read Praying that the Injury Done the Streets of the Said City and the Pasture Grounds in and about the Same by Hoggs Rooting and breaking the Turf may for the future be prevented

*Ordered* That the Said Petition be Referr'd to the Consideration of the Committee for Propofitions and Grievances to Report their Opinion thereon

A Petition of *James Adams* Referr'd by the Council to the Consideration of this Houfe was Read Praying an Allowance for being Interpreter to the *Pamonkey* and *Chiccahomony* Indians

*Ordered* That the Consideration of the Said Petition be Referr'd to the Committee for Publick Claims to Report their Opinion thereon

A Meflage from the Governor by Mr *Robertfon*

Mr *Speaker*

The Governor Commands the Immediate Attendance of this Houfe in the Council Chamber

Accordingly Mr *Speaker* with the Houfe went up to Attend the Governor

And being Returned

Mr *Speaker* Reported as followeth *Vizt*

*Gentlemen* In Obedience to the Governors Commands We have been to Attend him in the Council Chamber where he was pleafed to make a Speech which was So long that I dare not pretend to acquaint you with the Contents of it by the Strength of my Memory; but for as much as I have obtained a Coppy of it I pray your favour that I may be Admitted to Read the Copy, which he Read, and is as followeth *Vizt*

*Gentlemen of the Council and Houfe of Burgeffes*

We now meet under the Authority of another Sovereign, than when We were last Affembled

The Almighty has been pleafed to call to his mercy our late moft Gracious and moft Religious Queen, but has Vouchsafed immediately to Repair that Lofs to her Subjects, by fulfilling their Defires in the next Succellor and by bleffing our Mother Country with Peace and Harmony all on a Sudden, making fears and jealousies to Vanish there, and jars to ceafe at the very name of *King George*

A Prince who can So happily influence the minds of his People even before his Perfonal Prefence among them Seems to be peculiarly cut out by providence for Ruling Remote Colonys: And thereupon We in these parts are particularly Obligated with thankful hearts to congratulate his Majeftys Rightful and Lawful Acceffion to the Crown

It is a moft Senfible Pleasure to me that the Representation I have now to make of the State of the Frontiers Differs very much from that I Laid before you laft year. No Murther, No Alarms have happened; but on the contrary, Satisfaction has been made for thofe formerly committed, by Delivering up Some of the Guilty to Juftice.

And it is no lefs pleafing to me, than I conceive it may be to you, that I have been able to Reduce the charge of Guarding the Frontiers to lefs than a Third of that of the pceeding years; besides, I take the Security, I have provided for the Country to be of Such a nature, that if half the pains be ufed to improve it, which I have taken to Settle it, the Strength of your Barrier may with time be encreasing and the Expence Decreasing

For as, on the one hand, I have begun a Settlement of Proteftant Strangers, Several Miles without our Inhabitants, more of their Country folkes might be induced to come over and Joine them if they hear these meet with a favourable Reception (and Sure as they are of the Same Nation with our present Sovereign, they are as fit to be Recommended to your benovolence as the *French* Refugees of the *Manican* Town formerly were)

So on the other hand, our Tributary Indians, whom I am Setling out with a few white men to accompany them in their Ranges, and to obferve their Actions or Correspondence

pondence with forreign Indians, will need no longer Such a Guard, when by the blessing of God they become Christians, according to a Treaty I have this year made with them, for Educating all their Children in the faith of our Church

This may perhaps to Some appear to be too remote a Consideration but however, Since I judge the undertaking to be practicable, as well as Religious, I cannot but have it very much at heart, and it is a Sufficient encouragement to me, to think Posterity may Reap the benefit thereof

But for a more immediate Advantage to the Colony I Recommend to your Consultations Some Regulation of the Indian Trade: for it is not only almost quite lost, but even proves Pernicious to this Dominion, upon the footing it now is. I have Discovered enough to convince me that the Mischiefs We have of late years Suffered from the Indians are chiefly owing to the Clandestine Trade carryed on by some ill men, And experience Shows that it is not in the Governments power to prevent it, unless other measures be Enacted

I am but too Sensible of the Injury Done by last Summers Drought to the Crops of Corn and Tobacco, and think it Worthy your Consideration how to Relieve the People, under the Streits which many of them must this year be, to Discharge their Levys.

Since your last Session, I have Received a large quantity of Ammunition, with a Number of very good Arms and other necessaries of Warr, given by her late Majesty for the Service of this Country: And your enabling me to take better care of those than formerly has been of Such like Supplys, will not only be the best Return you can make for So generous a Gift, and a full Recompence for the pains I have taken in Solliciting and procuring it, but may also Render it an Estate of Inheritance to your Posterity

In fine Gentlemen

It cannot but be an Advantage to *Virginia*, that the good agreement of its Assembly Should be among the first Impreissions Received by our new Sovereign, and if there were any Danger of your being otherwise Disposed (of which I have not at present the least Apprehension) I should not doubt but this Single Consideration would be a Sufficient Motive to Harmony.

*November the 17<sup>th</sup> 1714.*

*Resolved* That this House will take the Said Speech into Consideration to Morrow Morning

And then the House Adjourned till to Morrow Morning Eleven a Clock

### *Thursday November the 18<sup>th</sup> 1714.*

**M**<sup>R</sup> *Holloway* from the Committee of Propositions and Grievances Reported That the Committee had taken into Consideration Several of the Matters to them Referred and had agreed in a Report thereupon Which he Read in his place and afterwards Delivered in at the Table where the Same being again Read: The House proceeded to the immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Petition of the Freeholders and Inhabitants of the City of *Williamsburgh* Setting forth the Damage done to the Streets of the Said City and other inconveniences to the Petitioners by the Number of Hogs kept in and about the Said City and Praying to be Relieved therein

The House agreed to the Report of the Committee *Vizt.* That the Petitioners have Leave to prepare a Bill to be brought in to prevent the Inconveniences complained of in the Said Petition

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King William* That a Ferry may be Settled upon *Pamonkey* River from *Sweet Hall* to *Richard Richardsons*

The

The Houfe agreed to the Report of the Committee *Vizt.* That the Said Propofition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Propofition from the Said County of *King William* That Liberty may be given to Stemm and Pack all good Tobacco as was allowed before the late Aët for the Improving The Staple of Tobacco And that the Same may be Laid promifcuoufly in hogheads as before the making the Said Aët.

The Houfe agreed to the Report of the Committee *Vizt.* That the Said Propofition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Propofition from the faid County of *King William* That perfons who have formerly Contracted Debts to be paid in Tobacco at certain times yet to come may be permitted to pay Such Tobacco as was lawful at the time of making Such contracts or may have Allowances made to them for paying Such Tobacco as Shall now be Judged Lawful and that by reafon of fmall Crops made this year Such Debtors may have further time Allowed them for payment of their Debts

The Houfe agreed to the Report of the Committee *Vizt.* That the Said Propofition be Referred to the further Confideration of this Committee

And upon Confideration of the Report of the Said Committee made upon the Propofition from the County of *Effex* That no Agent may be Merchant or Factor And that longer time may be Allowed for Exporting old Tobacco than is Limited by the Aët for Improvement of the Staple of Tobacco and to prevent frauds in Tobacco payments

The Houfe agreed to the Report of the Committee *Vizt.* That the Said Propofition be Rejected

Several Claims from the Countys of

*Lancafter*.....*Middlefex*

*Gloucefter*.....*Surry*

Were prefented to the Houfe and Referred to the Confideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the Houfe

The Houfe being Informed That *Andrew Elmes* Doorkeeper laft Seffion Prayed to be Continued this Seffion

*Ordered* That he be Continued Doorkeeper (according to his Prayer) And that he give his Attendance accordingly

A Petition of Several of the Inhabitants of the County of *Surry* was prefented to y<sup>e</sup> Houfe and Read Praying that (fince through the unfeafonablenefs of the year they have not made any Tobacco) they may be Relieved touching the payment of their Public County and Parifh Levys.

*Ordered* That the Said Petition Lye upon the Table till the Governors Speech be Confidered

The Houfe (according to Order) proceeded to the Confideration of the Governor's Speech and the Same was Read.

*Refolved Nomine Contradicente*

That an Humble Addrefs be prefented to his Mafesty to Congratulate him Upon his happy Acceffion to the Throne.

*Ordered* That a Meffage be Sent to the Council to acquaint them that this Houfe have unanimoouly Refolved that an humble Addrefs be prefented to his Mafesty to Congratulate his happy Acceffion to the Throne And that the Houfe Defires their Hono<sup>rs</sup> to joyn with them in the Addrefs.

*Ordered* That the Committee of Propofitions and Grievances and the Committee of Claims Do Carry the Meffage to the Council

*Refolved Nomine Contradicente*

That an Humble Addrefs be prefented to the Governor upon his Speech

*Ordered*

*Ordered* That the Committee of Propositions and Grievances Do prepare and bring in the Addrefs

*Ordered* That the further Consideration of the Governors Speech be Referred till *Monday* next.

Mr *Holloway* Reported that the Council had been Acquainted with the Refolve of this Houfe touching the Addrefs to be presented to his Majesty And that their Honours were Desired to Joyn therein

A Message from the Council by Mr *Robertfon*

That the Council are Desirous of Joyning with this Houfe in an Humble Addrefs to his Majesty to Congratulate him upon his happy Acceffion to the Throne And that the Council have appointed three of their Members to be in the Conference Room at Eleven a Clock to Morrow Morning to Joyne with Such Members of this Houfe as Shall be appointed to prepare and Draw up the Same

And then he withdrew

*Ordered* That Mr *Holloway* Mr *William Robinson* Mr *John Robinson* Mr *Soane* Mr *Meriwether* and Mr *Waller* meet the Members appointed by the Council to Morrow at Eleven a Clock in the Conference Room and with them prepare and Draw up the Said Addrefs.

Some Grievances from the County of *Middlefex* Referred by the Council to the Consideration of this Houfe were Read and Referred to the Consideration of y<sup>e</sup> Committee for Propositions and Grievances to Report their Opinion thereon

A Grievance from the County of *Prince George* was Read and Referred to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon.

A Petition of Several of the Inhabitants of the County of *Gloucester* Referr'd by the Council to the Consideration of this Houfe was Read Praying that the Law made the last Seflion of Affembly for the Remedying the ill State of the Tobacco Trade may be Altered in that part of it that Relates to the Tying up and Laying Streight of Stem'd tobacco in the hoghead

A Petition of *William Brown* Referr'd by the Council to the Consideration of this Houfe was Read Praying that Clause in the Tobacco Law prohibiting the Exportation of cut tobacco be moderated

*Ordered* That the Said Petition be Rejected

And then the Houfe Adjourned till to Morrow Morning Eleven a Clock.

*Friday November the 19<sup>th</sup> 1714.*

SEVERAL Claims from the Countys of

*Warwick*.....*Princefs Ann*

*Norfolk*.....*King and Queen*

Were presented to the Houfe and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the Houfe

Several Propositions and Grievances from the County of *King* and *Queen* and *Princess Ann* were Read.

Several Propositions and Grievances from the Countys of *James City* *Charles City* and *King* and *Queen* Referred by the Council to the Consideration of this Houfe were Read.

*Ordered* That the Said Propositions and Grievances be Referred to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon

Mr *Stanup* moving for Leave to be absent till *Monday* next Leave is accordingly given him



A Motion being made and the Question put. That a Bill be brought in to prevent the Setting on Fire and Destroying the Publick Store Houses of the Agents by wicked malicious and evil Disposed Persons

It was Resolved in the Affirmative

*Ordered* That the Committee of Propositions and Grievances Do prepare and bring in the Bill

And then the House Adjourned till to Morrow Morning Eleven a Clock.

*Saturday November the 20<sup>th</sup> 1714.*

**A** PETITION of *John Cembrough* Petitioner was presented to the House and Read Praying his usual Allowance

A Petition of *Richard Buckner* was presented to the House and Read Praying to be Allowed for Four Copys of the Journals of the last Session of Assembly and Four Copys of y<sup>e</sup> Laws made that Session Delivered to the Governor And a Copy of the Said Laws given in to the Secretarys Office

*Ordered* That the Said Petitions be Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House.

Several Claims from the Countys of *Stafford* and *Henrico* were presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

A Grievance from the County of *Henrico* was Read and Referred to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon

Mr *Holloway* (according to Leave) presented to the House a Bill to prevent Hoggs rooting within the City of *Williamsburgh* and certain Adjacent places, and the Same was Received and Read the first time and Ordered to be Read a Second time

Mr *Holloway* Reported that the Persons appointed by this House with the Members appointed by the Council to prepare and Draw up an humble Address to his Majesty have prepared an Address accordingly, which they had Directed him to Report to the House, which he Read in his Place, and afterwards Delivered in at the Table, where the Same was Read and agreed unto by the House

*Ordered* That Such of the Members of this House as were appointed for Drawing up the Said Address Do Carry the Same to the Council and Desire their Concurrence thereunto

And then the House adjourned till Monday Morning Eleven a Clock.

*Monday November the 22<sup>th</sup> 1714.*

**M**R *Holloway* from the Committee of Propositions and Grievances Reported That the Committee had taken into Consideration Several of the Matters to them Referred and had agreed in a Report thereupon which he Read in his Place and afterwards Delivered in at the Table where the Same being again Read, the House proceeded to the immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Middlesex* Praying that it may be Enacted that no Assembly may Continue longer than Three years

After a Debate the Question was put That the Report of the Committee be agreed to It was Resolved in the Affirmative and thereupon

*Ordered* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County of *Middlesex* That an Act may be made to prohibit any Agent for Tobacco to Trade or Purchase Tobacco for himself or any other

The

The Houfe agreed to the Report of the Committee *Vizt*

That the Said Proposition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* Setting forth That by an Act of Parliament made in the Sixth year of the Reign of their late Majeftys King *William* and Queen *Mary* No Parlyament fhall continue for longer than Three years and Praying the Same Liberty may be Allowed here.

The Houfe agreed to the Report of the Committee *Vizt*

That the Said Proposition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Proposition from the Said County That all Agents be Strictly forbid Purchafing or Tradeing Tobacco for themselves or any other

The Houfe agreed to the Report of the Committee *Vizt*.

That the Said Proposition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Proposition from the Said County That the making Hedges crofs Rivers may be Prohibited under a fine And that perfons may be appointed in the Nature of Commiffioners of Sewers in *England* to take care of the clearing Rivers

The Houfe agreed to the Report of the Committee *Vizt*.

That by Laws now in force Sufficient Remedy is provided in Such Cafes

And upon Confideration of the Report of the Said Committee made upon the Proposition from the Said County That all Owners of Mill-dams now upon Great Roads or which Shall hereafter be Set upon Great Roads or over which Great Roads fhall Lead be obliged to make Such Dams Ten foot wide in the clear at the Top

The Houfe agreed to the Report of the Committee *Vizt*

That a Bill be brought in upon the Subject Matter of the Said Proposition

*Ordered* That the Committee of Propositions and Grievances Do prepare and bring in the Bill

And upon Confideration of the Report of the Said Committee made upon the Proposition from the Said County That Goods Seized by Execution may be Sold at an Outcry

The Houfe agreed to the Report of the Committee *Vizt*

That the Said Proposition be Rejected

And on Confideration of that part of the Report made in thefe Words *Vizt* And the Committee taking into Confideration the Hardfhips and Injury often times Done to Creditors by the high Valuation of Goods tendered by Debtors in Difcharge of their Bodys when taken in Execution Are of Opinion that a Bill be brought in to Repeal that part of the Act of Affembly which gives Liberty to Debtors taken in Execution to tender Three times the Value of the Debt for which Judgement is obtained in Difcharge of their Bodys.

The Houfe agreed with the Committee in that Opinion, And thereupon

*Ordered* That a Bill be brought in accordingly And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

On Confideration of the Proposition from the Said County That the fees of one or two Attorneys may be Allowed in Bills of Cofts

The Houfe agreed to the Report of the Committee *Vizt*.

That the Said Proposition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Proposition from the Said County That Lands as well as Negro Slaves may be made Liable to pay the Debts of Dead perfons after all the perfonal Eftate fhall be Adminiftred

The Houfe agreed to the Report of the Committee *Vizt*.

That the Said Proposition be Rejected

And

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That Posts be Set up in the yard of each County Court for Rectifying the Variation of the Compaſs

The Houſe agreed to the Report of the Committee *Vizt.*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the Surveyors may be Enabled to Recover their Fees by Diſtreſs

The Houſe agreed to the Report of the Committee *Vizt*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That a Reward be given for killing Crows or a penalty on them who Do not kill Numbers of them in Proportion to their Tytheables

The Houſe agreed to the Report of the Committee *Vizt*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County That the Forty third Act in the Book of printed Laws which Stands Repealed may be Revived

The Houſe agreed to the Report of the Committee *Vizt.*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Grievance of the Inhabitants of the Several Pariſhes in the County of *Prince George* Representing the Inconvenience of the preſent Diviſion of the Said Pariſhes and Praying they may be Divided by the Rivers *James* and *Appamatex*

The Houſe agreed to the Report of the Committee *Vizt*

That the Consideration of the Said Grievance be further Referred

And upon Consideration of the Report of the Said Committee made upon the Proposition of the Inhabitants of the County of *Charles City* That that part of the County of *James City* which Lyes on the Weſt Side of the River *Chicohominy* may be made part of the Said County of *Charles City* And the Committee alſo Conſidering that part of the Proposition from the County of *James City* which Propoſes That that part of the County of *James City* which Lyes on the Weſt Side of the Said River *Chicohominy* may be Added to the Said County of *Charles City*

After a Debate the Queſtion was put

That the Report of the Committee be agreed to

*Reſolved* in the Affirmative and thereupon

*Ordered* That a Bill be brought in to Divide the Said Countys of *James City* and *Charles City* by the Said River *Chicohominy*.

*Ordered* That the Committee of Propositions and Grievances Do prepare and bring in the Bill

And upon Consideration of the Report of the Said Committee made upon the other part of the Proposition from the Said County of *James City* Relating to the bounding the Said County

The Houſe agreed to the Report of the Committee *Vizt*

That the Same be Rejected

And upon Consideration of the Report of the Said Committee made upon y<sup>e</sup> Proposition from the Said County of *James City* That the Law which appoints y<sup>e</sup> Proceſſioning of Lands may be Explained, And that Jurors Summoned on Such Proceſſioning may be Allowed for their Attendance

The Houſe agreed to the Report of the Committee *Vizt*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition of Several Freeholders and Inhabitants of the County of *Princeſs Ann* That they

they may pay their Publick Dues now payable in Tobacco in Several Commodities of the Product of this Colony to be enumerated and valued

The House agreed to the Report of the Committee *Vizt.*

That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Grievance Represented by the Said Inhabitants of the Said County of *Princeps Ann* That the Day for holding the Court of the Said County is appointed to be on the first *Monday* in every Month And praying the Same may be Altered and appointed to be on the first *Wednesday* in every Month

The House agreed to the Report of the Committee *Vizt.*

That the Persons Representing the Said Grievance have Leave to prepare and bring in a Bill for the Alteration of the Day appointed for holding the Said Court

A Bill to prevent Hogs Rooting within the City of *Williamsburgh* and certain Adjacent Places was Read a Second time

*Ordered* That the Bill be Ingrossed

The Order of the Day being Read for the House to take into further Consideration the Governors Speech

*Resolved* That this House will proceed to the further Consideration of the Said Speech to Morrow Morning

Mr *Wright* Hath Leave to go into the Country on his Extraordinary Occasions

A Petition of Mr *Secretary Cocke* (Refer'd by the Council to the Consideration of this House) was Read, Praying to be Allowed for Two Writts issued out of his Office for the Election of Burgeses to Serve in this Assembly

A Petition of *Chicheley Corbin Thacker* Clerk of the Secretaries Office (Referred by the Council to the Consideration of this House) was Read Praying an Allowance for Publick Services

*Ordered* That the Consideration of the Said Petitions be Referred to the Committee for Publick Claims to Report their Opinion thereon

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Tuesday November the 23<sup>d</sup> 1714*

**M**R *Holloway* from the Committee of Propositions and Grievances Reported That the Committee had taken into Consideration a Matter to them Referred and had agreed in a Report to be made to the House thereupon which he Read in his Place and afterwards Delivered in at the Table, where the Same being again Read. The House proceeded to the immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Henrico* Setting forth That the Reward now given by Law for killing Wolves with Guns and Catching them in Traps is unequal and too great and Praying that Such Rewards may be equal and less

The House agreed to the Report of the Committee *Vizt.*

That a Bill be brought in to Repeal that part of the Law which gives the Reward for killing of Wolves and Catching them in Traps and Pitts And that the Reward for killing Wolves or Catching them in Traps or Pitts be but One hundred pounds of tobacco for each Wolf So killed or Caught

*Ordered* That the Committee of Propositions and Grievances Do prepare and bring in the Bill

Mr *Holloway* presented to the House (according to Order) a Bill to prevent the Malitious Burning or Destroying the Publick Storehouses of tobacco Agents And the Same was Received and Read the first time and Ordered to be Read a Second time

*Ordered*

*Ordered* That Mr *Christopher Robinson* and Mr *Fitzhugh* be Added to the Committee of Propositions and Grievances

A Petition of *Thomas Roberts* was presented to the House and Read Praying an Allowance for his Attendance at the last *April* General Court

*Ordered* That the Consideration of the Said Petition be Referred to the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House.

A Message from the Council by Mr *Robertson*

That the Council have Agreed to the Address To His Majesty as passed this House and that their Honors have Signed the Same.

Mr *Speaker* and the Members present also Signed the Address.

*Ordered* That the Absent Members attend in their places to Morrow Morning in Order to Sign the Said Address.

A Proposition of *George Walker* was presented to the House and Read Setting forth that he hath a Commission for Searcher in the Lower District of *James River* and hath no Salary Annexed to that Office: Therefore Proposes that an Allowance be made him of Twenty four pounds  $\text{per}$  Ann. out of the Dutys on Liquors to Enable him to Defray the charge of a Boat and Four Hands.

After a Debate the Question was put: That the Proposition be Committed.

It passed in the Negative and thereupon

*Ordered* That the Proposition be Rejected

Upon a Motion made

*Ordered* That the Committee of Propositions and Grievances Do inspect the Act of Assembly Laying a Duty on Liquors and Slaves and Report to the House wherein they find the Said Act Defective and what may be necessary to make the Same more Effectual

An Ingrossed Bill to prevent Hoggs Rooting within the City of *Williamsburgh* and certain Adjacent Places was Read the Third Time

*Resolved* That the Bill do pass

The House (according to Order) proceeded to the further Consideration of y<sup>e</sup> Governors Speech and the Same was Read

*Resolved* That the *Germans* Imported the last Spring and now Seated above the Falls of *Rappahanock* River be Exempted for Seven years from the payment of Publick County and Parish Levys

*Ordered* That a Bill be brought in on the Said Resolution And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

*Resolved* That a Bill be brought in for the better Regulation of the Indian Trade

*Ordered* That the Committee of Propositions and Grievances Do prepare and bring in the Bill

*Resolved* That it is the Opinion of this House, That the last Crops of Corn and Tobacco were So generally Injured by the Drought of the Summer that very many persons in this Government will be under great Streights to Discharge their Levys and that few will be able to pay their Tobacco Debts in Specie.

*Resolved* and accordingly *Ordered*.

That it be Referr'd to the Committee of Propositions and Grievances to prepare and bring in a Bill for Relief of the People under Such Streights and hardships.

*Resolved* That that part of the Governors Speech Relating to the Arms Ammunition and other necessarys of Warr given by her late Majesty for the Service of this Country be Referred to the Committee appointed to prepare the Bill for the better Regulation of the Indian Trade.

And then the House Adjourned till to Morrow Morning Eleven a Clock  
To the *Kings Most Excell<sup>t</sup> Majesty*.

*The humble Address of the Council and Burgeses of the General Assembly of Virginia May it Please your Majesty*

Since

Since it hath pleased the Almighty to take to his Mercy our late most Gracious and Renowned Queen, We your Majestys most Loyal and Dutiful Subjects the Council and Burgeffes of this your Ancient Colony and Dominion now met in General Assembly being truly Sensible, how happily that loss is Repaired by your Majestys Rightful Lawful and Peaceable Acceffion to the Imperial Throne of *Great Brittain* and its Dependancies Do with Hearts full of Joy embrace this first Opportunity of Addressing your Sacred Majesty with our Congratulations on this Glorious Occasion. Although by reason of our Distance We come among the last to pay this our Duty, We are Resolved (as We have ever hitherto been Exemplary in our Loyalty) to be behind none in our zeal to your Majestys Person and Government, And the Succession of the Crown in your Royal Line, Which We pray almighty God to Bless and Continue to all future Generations.

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*Wednesday November the 24<sup>th</sup> 1714*

**A** PETITION of the Freeholders Housekeepers and Inhabitants of *York Town* was presented to the House and Read Setting forth the Injuries and Damage Done by Hogs kept in and about the Said Town by Rooting up the Pastures and Streets. And praying that a Bill may be brought in for preventing the like Inconveniencies for the future

*Ordered* That the Petitioners have Leave to prepare and bring in a Bill according to the Prayer of the Said Petition

A Claim of *Edward Rofs* together with Several Papers relating thereto was presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof And Report the Same with their Opinion therein to the House

A Claim of *John Broadnax* with Several Papers relating thereto was presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House.

A Claim of *Samuel Wright* was presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House.

A Petition of *Miles Cary* was presented to the House and Read Praying an Allowance for Drawing out (by the Governors Order) the State of the Tobacco Accounts of this Country from the 22<sup>d</sup> day of *June 1706* to the 10<sup>th</sup> day of *November* last.

*Ordered* That the Consideration of the Said Petition be Referred to the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House

*Ordered* That a Message be Sent to the Council to acquaint them that this House Do Desire a Conference with the Council upon a Matter relating to the Address of the Council and Burgeffes to his Majesty

*Ordered* That Such Members of this House as were appointed for preparing the Said Address Do Carry the Message to the Council

A Message from the Council by Mr *Robertson*

That the Council have Agreed to the Conference Desired by this House in Relation to the Address to his Majesty And that they have appointed Three of their Members to meet Such Members as Shall be appointed Managers for this House (in the Conference Room) immediately

*Ordered* That the Members that carryed the Message to the Council be Managers for the House and immediately Repair to the Conference Room to meet the Managers for the Council

Mr *Holloway* Reported That the Managers for the House in the Conference upon the Matter relating to the Address to the King had been with the Managers for the Council

and

and acquainted them with the Sence of the House as to the Method proposed by this House for Delivering that Address to the Governor in Order to its being transmitted to his Majesty, which was that Some Members of the Council might be appointed with Some Members of this House to attend the Governor to know his Pleasure when he would be pleased to be waited upon by the Council and House of Burgeesses to present that Address, And further that the House conceived it to be their Right (as that Address first proceeded from their House) That the Speaker of that House should present the Same to the Governor; which Matter the Conferees for the Council Desired they might Report to the Council; and did immediately Return and Reported That the Council had Searched their Presidents, and did agree as to the Method Proposed to know the Governors Pleasure when he would be Attended And also that the Council did agree that if the Governour appointed to be Attended in the Council Chamber that when the Speaker and House of Burgeesses came up the Council would Stand up in their places, and that the Speaker of the House of Burgeesses should Read and present the Address to the Governor but if the Governor should appoint to be Attended at the Palace, that then in regard of the Precedency of the Council they thought it their right that the President of the Council Should present the Address to the Governor. To which the Conferees of this House Answered that they thought it would be the Sence of their House to approve that method

To which Report the House Agreed

A Message from the Council by Mr *Robertson*

That upon Report of the Conference made to the Council by their Managers, they have appointed Some of their Members (to Joyn with Such Members of this House as Shall be appointed) to wait on the Governor to know his Pleasure when he will please to be Attended with the Address to his Majesty

*Ordered* That the Members that were appointed Managers for this House in the Conference together with the Members appointed by the Council to know the Governors pleasure when he will be Attended with the Address to his Majesty Do know his pleasure accordingly

Mr *Holloway* acquainted the House that the persons appointed by the Council and Burgeesses have waited on the Governor to know his pleasure when he will be Attended with the Address to his Majesty And that his Honour was pleased to appoint to Morrow Morning Ten a Clock in the Council Chamber

Mr *Holloway* Reported from the Committee appointed to draw up an humble Address to be presented to the Governor that they had drawn up an Address accordingly which they had Directed him to report to the House, which he Read in his place and afterwards Delivered in at the Table, where the Same being Read

*Resolved Nomine Contradicente*

That this House do Agree with the Committee in the Said Address

*Ordered* That the Address be fairly transcribed and Signed by Mr *Speaker*

*Resolved* That the Said Address be presented to the Governor by the whole House

*Ordered* That Mr *Holloway* with Seven other Members do know the Governors pleasure when he will be Attended by this House

A Bill to prevent the Malitious Burning or Destroying the Publick Storehouses of Tobacco Agents was Read a Second time

After a Debate the Question was put, That the Bill be Committed

It was Resolved in the Affirmative

*Ordered* That the Bill be Committed to the Committee that prepared it

And then the House Adjourned till to Morrow Morning Nine a Clock.

To the Honourable Alexander Spotswood his Maj<sup>ty</sup> Lieu<sup>t</sup>. Governor of Virginia

*The Humble Address of the House of Burgeesses*

*May it please your Honour*

We think our Selves Obliged in a high Degree, by the favourable Opinion you are pleased to Express, of the good Disposition of this House to Unanimity in our Councils,

if

if that or whatever else We can do, to Demonstrate our Loyalty to our King, may Recommend us to his favour, We shall Esteem it an Ample Reward for our best Services

We are deeply Sensible of the loss to this Colony, by the Death of our late most Gracious, and Indulgent Queen, which nothing could Repair, but the Succession of So Illustrious a Prince to the *Brittish* Crown, who Inherits her Majestys Virtues, equally with her Kingdoms

It is Owing to your Honours prudent Administration, that our Frontiers are Secured, almost from the Apprehension of Danger, And it must be Attributed to your frugal Management that the Expence Should be Lessened, when the Services are increased, It is from this We hope, there is a Fund Sufficient to Defray the charge of that Design for the present year; And if you Shall See reason to Continue that Security for any longer time, We do Assure your Honour, This House will enable you to perform it, at least for One other year

We heartily Receive the *German* Protestants into our Country, And as a Mark of our good Disposition towards them have cheerfully given them an Immunity from Taxes for Seven years, If any more of that Nation and Religion Shall find Occasion to Settle with them, We question not, they will meet with a Reception and Incouragement, Suitable to their Condition.

We cannot but approve of the Treaty, your Honour is pleased to acquaint us, you have made with the Indians, And must believe a Settlement Laid upon the Foundation of good Policy, and true Religion, will be Attended with all the blessings and good Success that can be desired, And it is you Sir, will have the Honour, at the Same time you Guard us from our Enemies, of enlarging the Dominion of the Christian faith

We are preparing a Law for the better Regulation of the Indian Trade Recommended to us in your Honours Speech, by which We hope to prevent y<sup>e</sup> evil practices of Some persons who have been to much concerned in the Clandestine Management of that Trade, and to Render it more beneficial to this Colony, than in former times, by which We also propose to find proper means to preserve the Arms and Ammunition, which her late Majesty, by your Application was graciously pleased to bestow upon this Country

We have under Consideration the Damage Done to the Crops of Corn and Tobacco in the late Drought, and are endeavouring to take proper Measures, for the relief of Such persons as may be Streitned thereby.

We should be wanting to our Selves if We did not on this Occasion; take Leave to Return your Honour the thanks of this House, for the Labours you indefatigably have undergone, and the hardships and Difficultys you have been pleased to Expose your person to, for the preservation of our Country from the Incurfion of the Indians The Sence We have of the Justice in your Administration, and the many Instances you have given of your zeal, in promoting the Service of our Sovereign, and Advancing the Interest of this Colony, Demand our hearty prayers for your Honours health and welfare, and the long Continuance of your Government over us—

*Thursday November the 25<sup>th</sup> 1714.*

**M**R *Speaker* Reported That this House together with the Council had been to wait on the Governor with their Humble Address to the King: and had prayed his favour to get the Same Transmitted to his Majesty with all convenient Speed: Whereupon his Honour was pleased to Say as followeth *Viz*

*Gentlemen*

I shall always with a great deal of Readiness and Pleasure Convey to his Majesty all those Testimonys you Shall give of your Loyalty

Mr *Holloway* acquainted the House that the Governor had been waited on to know his Pleasure when he would be Attended by this House, And that his Honour was pleased to Say immediately in the Council Chamber

Accordingly



Accordingly the House went up to Attend the Governor, and being Returned Mr *Speaker* Reported, that he with the House had been to Attend the Governor, and had presented to him their Humble Addresse, To which his Honour was pleased to give this Answer

*Mr Speaker and Gentlemen of the House of Burgeses*

I am glad to find that your House thinks it just and proper to acknowledge the earnest endeavours I have used to Serve this Country and particularly the pains I have this year taken for its Security

I Rejoyce at the unanimity of your proceedings and am proud to Understand that this Addresse comes to me with a *Nomine Contradicente* from your House I take it as the United Voices of every County in *Virginia* and Return You Gentlemen of the House of Burgeses my very hearty thanks for the Same.

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Friday November the 26<sup>th</sup> 1714.*

A COMPLAINT being made to the House that one *John Cottrell* of the County of *Northumberland* had publickly in the hearing of Several Persons Spoke many Scandalous Words, highly Reflecting upon this House, and arraigning their proceedings, and had also Spoke Contemptuously of the Laws of the Country and had publickly affronted and abused *George Eskridge* Gentleman a Member of this House, in breach of the privilege of this House.

Ordered That it be Referred to the Committee of Priviledges and Elections to Examine the Matter of the Said Complaint, and to Report the Same, with their Opinion therein to the House

Ordered That Mr *John Robinson* and Mr *Waller* be Added to the Said Committee

A Petition of the Freeholders and Housekeepers of the County of *Isle of Wight* was by Leave of the House brought in and the Said Petition was presented to the House and Read Praying that the Petitioners may be Exempted from carrying their Crop Tobacco to the Publick Storehouses

Ordered That the Said Petition be Rejected

Several Claims from the County of *Isle of Wight* was by Leave of the House presented, and they are by the House Referred to the Consideration of the Committee for Publick Claims to Examine the matter thereof and Report the Same with their Opinion therein to the House

Mr *Holloway* Reported from the Committee to whom the Bill to prevent the Malitious Burning or Destroying the Publick Storehouses of Tobacco Agents was Committed that they had made Several Amendments to the Bill which they had Directed him to report to the House, which he Read in his place and afterwards Delivered in at the Table, where the Same were Read, and agreed unto by the House.

A Motion being made and the Question being put, That a Clause be Added to the Bill for continuing the Act of Assembly Entituled *an Act for preventing frauds in tobacco payments and for the better Improving the Staple of Tobacco for Five years, from and after the Tenth Day of this present November and from thence to the End of the then next Session of Assembly*

It passed in the Negative

Ordered That the Bill with the Amendments be Ingrossed

Mr *Walke* moving for Leave to be Absent on Extraordinary Occasions Leave is accordingly given him

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Saturday*

*Saturday November the 27<sup>th</sup> 1714*

**S**EVERAL Claims from the County of *James City* were (by Leave of the Houfe) prefented and Referred to the Confideration of the Committee for Publick Claims to examine the Matter thereof And Report the Same with their Opinion therein to the Houfe

Mr *William Robinson* from the Committee of Priviledges and Elections Reported that the Said Committee had taken into Confideration the Return of the Writt for Electing a Burgefs in *King William* County in the Room of *Henry Fox* Gentleman Deceased and therein had come to a Refolution which they had Directed him to Report to the Houfe which he Read in his Place and then Delivered in at the Table where being again Read. The Houfe agreed to the Said Report which is as followeth *Vizt*

*Refolved* That Mr *Orlando Jones* is Duly Returned a Burgefs to Serve in this Affembly for the County of *King William* in the Room of *Henry Fox* Gent deceased

Mr *William Robinson* alfo Reported from the Said Committee the Matter as it appeared to them touching the Complaint againft *John Cottrell* of the County of *Northumberland* and the Refolutions of the Committee thereupon which he Read in his place and afterwards Delivered in at the Table where the Same were Read and agreed unto by the Houfe and are as follow

*Refolved* That *John Cottrell* of the County of *Northumberland* for Speaking Scandalous Words Reflecting upon this Houfe and arraigning their proceedings and for Affronting and publickly abufing *George Eskridge* Gentleman a Member of this Houfe is Guilty of a Breach of the priviledge of this Houfe in a high nature

*Refolved* That the Said *John Cottrell* be Sent for in cuftody of the Meffinger of this Houfe to anfwer for the Said Offence

*Refolved* That *John Haney* of the County of *Northumberland* be Sent for in cuftody of the Meffinger of this Houfe to Anfwer for his Offence as an Incourager and Abettor of the Said *John Cottrell*

*Refolved* That *John Ingram William Jones Samuel Heath* and *John Coping* of *Northumberland* County and *Thomas Carter* of *Lancaster* County be Sumoned as Evidences for proving the Said Offences

*Ordered* That Mr *Speaker* Do accordingly iffue his Warrants upon the Said Refolutions

Mr *Holloway* (according to Order) prefented to the Houfe a Bill to Repeal part of an A<sup>c</sup>t Entituled *an A<sup>c</sup>t Directing the manner of Levying Executions and for Relief of poor Prifoners for Debt*, And the Same was Received and Read the firft time And Ordered to be Read a Second time

An Ingroffed Bill to prevent the malicious Burning or Deftroying the Publick Storehoufes of Tobacco Agents was Read the Third Time

*Refolved* That the Bill Do pafs

*Ordered* That Mr *Holloway* and Eleven Members more do carry the Bill to the Council and alfo the Bill to prevent Hoggs Rooting within the City of *Williamfburgh* and certain Adjacent Places and Defire their Concurrence thereunto

Mr *Simons* moving for Leave to be abfent Leave is accordingly given him

Mr *Samuel Harwood* hath Leave to be Abfent on his Extraordinary Occafions till *Tuefday* next

And then the Houfe Adjourned till *Monday* Morning Eleven a Clock

*Monday November the 29<sup>th</sup> 1714*

**M**R *Holloway* (according to Order) prefented to the Houfe a Bill to oblige Owners and Occupiers of Mills to which Publick Roads fhall Lead to make the Dams of Such Mills Ten foot wide at the Top

A Bill to Repeal part of an A<sup>c</sup>t Entituled *an A<sup>c</sup>t Giving a Reward for killing of Wolves and for Leffening Such Reward*

A Bill to Divide the Countys of *Charles City* and *James City* by the River *Chicohominy*

And the Same were Received and Read the first time and Ordered to be Read a Second time

Several Claimes from the County of *Elizabeth City* were (by Leave of the Houfe) prefented and they are by the Houfe Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the Houfe

Ordered That Mr *Eskridge* be Added to the Committee for Publick Claims

Ordered That Mr *Allerton* and Mr *Tully Robinson* be Added to the Committee for Propofitions and Grievances

Ordered That Mr *Larkin Chew* be at Liberty to withdraw his Claim brought in with the Claims from the County of *Effex* and by this Houfe Referred to the Consideration of the Committee for Publick Claims

A Bill to Repeal part of an A<sup>c</sup>t Entitled *an A<sup>c</sup>t Directing the manner of Levying Executions and for Relief of poor Prisonners for Debt* was Read a Second time

After a Debate the Question was put That the Bill be Ingrossed

It passed in the Negative

Ordered That Leave be given to bring in a Bill to Continue an A<sup>c</sup>t Entitled *an A<sup>c</sup>t to prevent Frauds in Tobacco payments and for the better Improving the Staple of tobacco* And that the Committee of Propofitions and Grievances Do prepare and bring in the Bill

Ordered That it be an Instruction to the Said Committee that they take into Consideration the unreasonable Rents Set upon Publick Tobacco Storehoufes (if any Such Rents there be) and provide for the Remediying thereof

Ordered That it be an instruction to the Said Committee That they have power to Receive a Claufe touching the Lands whereon Publick Storehoufes are built by the Proprietors of Such Lands

And then the Houfe Adjourned till to Morrow Morning Eleven a Clock

*Tuesday November the 30<sup>th</sup> 1714*

A COMPLAINT being Offered againft Mr *George Marable* a Member of this Houfe  
The Question was put that he withdraw till the Complaint be made

Resolved in the Affirmative

And he withdrew accordingly

Then the Complaint being made that the Said *George Marable* did yesterday in a Debate in the Houfe utter many undecent and Reflecting Speeches againft Several Members of this Houfe then present in breach of the Rules of the Houfe

Ordered That the Rules be Read

And they were Read at the Table accordingly

Resolved That Mr *Marable* is Guilty of a Breach of the Rules of the Houfe

Ordered That he be immediately called to the Bar of the Houfe to Explain his meaning touching those undecent and Reflecting Speeches

And being called in Mr *Speaker* Acquainted him with Complaint made againft him and the Refolution of the Houfe thereupon

Mr *Marable* at the Bar Declared that he intended no Reflection by any Words or Speeches by him uttered in that Debate, And then withdrew

And the Question being put That Mr *Marable* be Admitted to his place in the Houfe without further Censure

It was Resolved in the Affirmative

Mr *Holloway* (according to Order) presented to the Houfe a Bill to Continue An A<sup>c</sup>t Entitled *an A<sup>c</sup>t for preventing frauds in Tobacco payments and for the better Improving*

*ing the Staple of Tobacco*, And the Same was Received and Read y<sup>e</sup> first time And Ordered to be Read a Second time

A Petition of *Samuel Boujsh* Agent for the County of *Norfolk* Referred by the Council to the Consideration of this House was Read Praying Relief against the unreasonable Rents Set on the Publick Store houses appointed to be built at the Branch Bridge in the Said County

Ordered That the Consideration of the Said Petition be Referred to the Committee of Propositions and Grievances to Report their Opinion thereon

A Bill to Oblige Owners and Occupiers of Mills to which Publick Roads Shall Lead to make the Dams of Such Mills Ten foot wide at the Top: was Read a Second time

Ordered That the Bill be Ingrossed

A Bill to Repeal part of an Act Entituled *an Act Giving a Reward for killing of Wolves And for Lessening Such Reward* was Read a Second time

Ordered That the Bill be Ingrossed

A Bill to Divide the Countys of *Charles City* and *James City* by the River *Chicohominy* was Read a Second time

Ordered That the Bill be Ingrossed

A Petition of *Lewis Conner* of the County of *Norfolk* was presented to the House and Read Praying that Leave may be given to bring in a Bill to Confirm an Exchange of Lands made between Some free Negroes of that County and the Petitioner

Ordered That the Consideration of the Said Petition be Referred to a Committee to Examine the Allegations thereof And Report the Same with their Opinion thereon to the House

And a Committee was appointed for that purpose (to wit) *Mr Holloway Mr Eskridge Mr Boujsh Mr Tully Robinson* and *Mr Meriwether* And they have power to prepare and bring in a Bill according to the Prayer of the Said Petition if they think fit

Ordered That it be Referred to the Said Committee to Inspect the Law relating to the Setting Negroes free and Report to the House what they find necessary thereupon

A Claim of *Catherin Guy* was presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House

And then the House Adjourned till to Morrow Morning Eleven a Clock

### *Wednesday December the 1<sup>st</sup> 1714.*

**M**R *Buckner* (according to Leave) presented to the House a Bill to prevent Hoggs belonging to the Inhabitants of *York Town* going at large within the Limitts of the Said Town: And the Same was Received and Read the first time And Ordered to be Read a Second time

A Bill to Continue an Act Entituled *an Act For preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco*, was Read a Second time And Several Amendments were made by the House to the Bill

Ordered That the Bill with the Amendments be Ingrossed

### *Thursday December the 2<sup>d</sup> 1714.*

**A**N Ingrossed Bill to Continue an Act Entituled *an Act For preventing Frauds in Tobacco Payments and for the better Improving the Staple of Tobacco* was Read the Third time

Resolved That the Bill Do pass

An Ingrossed Bill to Oblige Owners and Occupiers of Mills to which Publick Roads shall Lead to make the Dams of Such Mills Ten foot Wide at the Top was Read the Third time

*Resolved*

*Resolved* That the Bill do pass

An Ingrossed Bill to Repeal part of an Act Entituled *an Act Giving a Reward for killing of Wolves and for Lessening Such Reward*: was Read the Third time

*Resolved* That the Bill do pass

An Ingrossed Bill to Divide the Countys of *Charles City* and *James City* by the River *Chicohominy* was Read the Third time

*Resolved* That the Bill do Pass

*Ordered* That Mr *Holloway* Do carry the Bills to the Council and desire their Concurrence thereunto

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Friday December the 3<sup>d</sup> 1714*

THIS House being Informed that several Gentlemen of the Clergy attended with a Message, they were called in, And Delivered their Message in these Words

*Mr Speaker and Gentlemen of the House of Burgeesses*

We are Sent from the Convention of the Clergy with their hearty thanks for the favours of this House, more particularly for making the Law to prevent Frauds in Tobacco Payments, by which We are Sensible our Sallarys will be much more Valuable. We beg the Continuance of the favour of this House, And pray to God for the good Success of all your proceedings

And then they withdrew

Mr *Conway* on Motion hath Leave to go into the Country on his Extraordinary Occasions

A Message from the Council by Mr *Robertson*

That the Council have made Several Amendments to the Bill Entituled *an Act to prevent the malicious Burning or Destroying the Publick Storehouses of Tobacco Agents*

And also to the Bill Entituled *an Act to prevent Hoggs Rooting within the City of Williamsburgh and certain Adjacent Places* To which the Council Desire the Concurrence of this House

The House proceeded to the immediate Consideration of the Said Amendm<sup>ts</sup> And the Same were Severally Read and Agreed unto by the House and made in the Bills

A Petition of *Charles Barret* was by Leave of the House presented and Read Praying an Allowance of Two pounds Fifteen Shillings for Visitts Attendance and Phisick Administred to Prisonners in the Publick Goal

*Ordered* That the Said Petition be Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House

A Bill to prevent Hoggs belonging to the Inhabitants of *York Town* going at large within the Limitts of the Said Town was Read a Second Time And Some Amendments were made by the House to the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

Mr *Joseph Godwin* moving for Leave to be Absent on Extraordinary Occasions Leave is accordingly given him

*Ordered* That Mr *Holloway* Do carry the Bill Entituled *an Act to prevent the malicious Burning or Destroying the Publick Storehouses of Tobacco Agents*

Also the Bill Entituled *an Act to prevent Hoggs Rooting within the City of Williamsburgh and certain Adjacent Places*, to the Council and Acquaint them that this House have agreed to the Several Amendments by them propofed to the Said Bills, and have Inferted the Amendments in the Bills

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Saturday*

*Saturday December the 4<sup>th</sup> 1714*

**A**N Ingrossed Bill to prevent Hoggs belonging to the Inhabitants of *York Town* Going at large within the Limitts of the Said Town was Read the Third time.  
*Resolved* That the Bill Do pass.

*Ordered* That Mr *Buckner* Do carry the Bill to the Council and Desire their Concurrence thereunto

Mr *Crawford* on Motion hath Leave to go into the Country on Extraordinary Occasions

And then the House Adjourned till *Monday Morning Eleven a Clock*

*Monday December the 6<sup>th</sup> 1714*

**A**PETITION of the Justices of the Peace for the County of *Princes Ann* in behalf of themselves And the rest of the Inhabitants of the Said County was by Leave of the House brought in, And the Same was presented to the House and Read,  
 Praying to be excused building the Publick Storehoufes at the places appointed in the Said County for Erecting Publick Storehoufes on (the Same being inconvenient both to the Inhabitants and to Shiping) And that they may have Leave to build the Said Houfes at *Newtown* a more convenient place

The House proceeded to the immediate Consideration of the Said Petition and thereupon

*Resolved* and accordingly *ordered*

That the Petitioners be excused building the Publick Storehoufes at the Places appointed in the Said County of *Princes Ann* for Erecting Publick Storehoufes on And that they have Leave to Erect and build the Same at *Newtown* in the Said County according to the Prayer of the Said Petition

A Message from the Council by Mr *Robertson*

That the Council have propofed Several Amendments to the Bill Entituled *an Act to Oblige Owners and Occupiers of Mills to which Publick Roads Shall Lead to make the Dams of Such Mills Ten foot wide at the Top To w<sup>ch</sup> the Desire the Concurrence of this House*

Also that the Council have made Several Amendments to the Bill Entituled *an Act to repeal part of an Act Entituled an Act Giving a Reward for killing of Wolves and for Lessening Such Rewards to which their Honours Desire the Concurrence of this House*

The House proceeded to the immediate Consideration of the Said Amendments and the Same were Severally Read and agreed unto by the House and made in the Bills

*Ordered* That Mr *Holloway* and Seven Members more do carry the Bills to the Council and Acquaint them that this House have Agreed to the Several Amendments by them propofed to the Said Bills, And that the Said Amendmen<sup>ts</sup> are made in the Bills accordingly

Mr *Bouj* (according to Leave) presented to the House a Bill to alter the Day of holding the Court of the County of *Princes Ann* And for appointing another Day on which the Same Shall hereafter be held And the Same was Received and Read the first time And *Ordered* to be Read a Second time

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Tuesday December the 7<sup>th</sup> 1714*

**M**R *Holloway* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Several Matters to them Referred and therein had come to Several Resolutions which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where being again Read The House proceeded to the Immediate Consideration of the Said Report

And

And upon Consideration of the Report of the Said Committee made upon that part of the Proposition from the County of *King William* which relates to persons who have made Small Crops this year

The House agreed to the Report of the Committee *Vizt*

*Resolved* That the Same may be properly provided for in the Bill Ordered by this House to be prepared for that purpose

And upon Consideration of the Report of the Said Committee made upon the Petition of *Samuel Boush* Agent for the County of *Norfolk* Praying that the Rent Settled by the Court of the said County of *Norfolk* on two Storehouses Ordered to be built by one *John Willfon* at the Branch Bridge may be Lessened

The House agreed to the Report of the Committee *Vizt*

*Resolved* That the Subject matter of the Said Petition is already provided for

And upon Consideration of the Report of the Said Committee made upon their Inspecting and Considering the Act of Assembly Entitled *an Act for Laying a Duty on Liquors and Slaves*

The House agreed to the Report of the Committee *Vizt*

*Resolved* That the Powers given by the Said Act to the Officers appointed to Receive the Said Duty are not Sufficient: And that to make the Said Act more effectual, it may be necessary to give Authority to the Said Officers to break open and enter houses or Warehouses to Search for and Seize any Liquors or Slaves on which a Duty is Laid by the Said Act and which Shall be brought on Shore contrary to the Directions therein given: And that all persons who Shall bring Liquors on which a Duty is Laid by the Said Act from one District to any other District, Shall be obliged to enter the Said Liquors with the Officer in each District into which they shall be brought under a penalty.

*Ordered* That a Bill be brought in upon the Said Resolution and that the Committee of Propositions and Grievances do prepare and bring in the Bill.

And upon Consideration of the Report of the Said Committee made upon the Grievance from the County of *Prince George* That the Parishes of *Bristol Westover Waynoak* and *Martin Brandon* being part in the Said County of *Prince George* part in the County of *Henrico* and part in the County of *Charles City* by reason of the Rivers *James* and *Appamatox* Dividing the Said Parishes are Scituated very inconvenient to the Inhabitants of the Said County of *Prince George* And Praying the Said Parishes may be Divided from those parts thereof which Lye in the Said County of *Prince George* by the Said Rivers

The House agreed to the Report of the Committee *Vizt*

*Resolved* That the Said Parishes be Divided according to the Prayer of the persons Representing the Said Grievance and that they have Leave to prepare and bring in a Bill for that purpose

A Bill to alter the Day of holding the Court of the County of *Princes Ann* and for appointing another day on which the Same Shall hereafter be held, was Read a Second time and Committed to the persons that prepared it

*Ordered* That the Committee for Publick Claims do inspect the Laws expired and near Expiring and Report what are fit to be Revived or Continued

*Mr Treafurer* moving that he may Lay his Accounts of the Revenue before the House.

*Ordered* That the Said Accounts be Laid before the House on *Thursday* next  
Upon a Motion made

*Ordered* That it be an Instruction to the Committee to whom the Bill for altering the Day of holding the Court of the County of *Princes Ann* and for appointing another day on which the Same Shall hereafter be held is Committed That they receive a Clause for altering the Court day of the County of *Effex*

*Ordered* That *Mr Hawkins* be Added to the Said Committee

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Wednesday*

*Wednesday, December the 8<sup>th</sup> 1714.*

**M**<sup>R</sup> *Holloway* (according to Order) presented to the House a Bill for the better Regulation of the Indian Trade

Also a Bill for the Relief of persons who by reason of the Drought of last Summer have made Small quantitys of Corn and Tobacco and the Same were Received and Read the first time and Ordered to be Read a Second time

<sup>M</sup>*r Goodrich* (according to Leave) presented to the House a Bill to Divide the Parishes of *Bristol Westover* and *Waynoak* by the Rivers *James* and *Appamatox* and for Adding *Martin brandon* parish to one of the Said Parishes And the Same was Recieved and Read the first time and Ordered to be Read a Second time

<sup>M</sup>*r Buckner* Reported from the Committee appointed to Inspect the Laws Expired and near Expiring That the Said Committee had Inspected the Said Laws accordingly and had come to Resolutions thereupon which they had directed him to Report to the House which he Read in his place and then Delivered them in at the Table where the Same were Read

*Ordered* That the Report be taken into Consideration to Morrow Morning

<sup>M</sup>*r Buckner* Reported from the Committee for Publick Claims That the Said Committee had taken into Consideration the Several Matters to them Referred and therein had agreed upon Several Resolutions which they had Entered into a Book called the Book of Reports of the Committee for Publick Claims which he presented to the House and the Same was Recieved

*Ordered* That the Said Book of Reports Do Lye upon the Table

<sup>M</sup>*r Boujh* Reported from the Committee to whom the Bill for Altering the Day of holding the Court of the County of *Princes Ann* and for appointing another Day on which the Same Shall hereafter be held, was Committed, that they had made Several Amendments to the Bill which they had directed him to Report to y<sup>e</sup> House, which he Read in his place and afterwards Delivered in at the Table where the Same were Read and agreed unto by the House

*Ordered* That the Bill with the Amendments be Ingroffed

A Message from the Council by <sup>M</sup>*r Robertson*

That the Council have Returned the Bill Entituled *an Act to Continue an Act Entituled an Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco* and have proposed Several Amendments to the Said Bill To which the Council Desire the Concurrence of this House.

The House proceeded to the Consideration of the Said Amendments and the Same were Read and all of them agreed unto Except one which was Disagreed unto by the House

*Ordered* That the Committee of Propositions and Grievances do carry the Bill to the Council and Acquaint them that this House have agreed to all the Amendments by them proposed to the Said Bill except one which was Disagreed unto and desire their Hono<sup>rs</sup> to pass the Bill with the Amendments agreed unto by this House.

<sup>M</sup>*r Thornton* Moving for Leave to go into the Country Leave is accordingly given him

<sup>M</sup>*r Byrd* on his Motion hath Leave to go into the Country on his Extraordinary Occasions

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Thursday, December the 9<sup>th</sup> 1714.*

**A** MESSAGE from the Council by <sup>M</sup>*r Robertson*

That the Council do not insist on the Amendment by them proposed to the Bill Entituled *an Act to Continue an Act Entituled an Act for preventing frauds in Tobacco payments And for the better Improving the Staple of Tobacco* to which this House have disagreed

*Ordered*



*Ordered* That Such of the Amendments Propofed by the Council to the Said Bill to which this Houfe have agreed be made in the Bill

And the Amendments were made in the Bill accordingly

*Ordered* That the Committee of Propofitions and Grievances do carry the Bill to the Council and acquaint them that Such of the Amendments propofed by their Honours to the Said Bill as were agreed unto by this Houfe are made in the Bill And defire their Honours to Agree to the Bill as Amended

*Mr Treafurer* (according to Order) Laid his Accounts of the Revenue before the Houfe

*Ordered* That the Said Accounts Do Lye upon the Table

The Houfe being Informed That the Meflinger had purfuant to *Mr Speakers* Warrant taken into Cuftody, *John Cottrell* of the County of *Northumberland* to Anfwer a Complaint made againft him for Reflecting on and Arraigning the Proceedings of this Houfe and Publickly Affronting *George Eskridge* Gent a Member thereof And that the Meflinger had alfo taken into Cuftody *John Haney* the younger of the Said County of *Northumberland* as an Incourager and Abettor of the Said *John Cottrell* in that Offence And that they Attended at the Door

A Motion being made and the Queftion being put that the Said *John Haney* be Difcharged out of cuftody

It was Refolved in the Affirmative and thereupon

*Ordered* That the Said *John Haney* be Difcharged out of cuftody without paying fees

*John Cottrell* being called to the Bar *Mr Speaker* acquainted him with the Complaint made againft him And then he withdrew

And being again called to the Bar Several Witneffes were called in and Examined touching the Matter of the Complaint made againft the Said *John Cottrell* And then they were Ordered to withdraw and they withdrew accordingly

After a Debate the Queftion was put that the Said *John Cottrell* is Guilty of a Breach of the privilege of this Houfe

It paffed in the Negative.

*Ordered* That the Said *John Cottrell* be Difcharged out of Cuftody without paying fees.

*Ordered* That the Report of the Committee appointed to Infpect the Laws expired and near expiring be taken into Confideration to Morrow Morning

A Meflage from the Governor by *Mr Robertfon*

*Mr Speaker*

I am commanded by the Governor to Deliver to this Houfe his Honours written Meflage and a Memorial to which that Meflage doth Referr And he prefented the Same to the Houfe accordingly

*Mr Robertfon* alfo acquainted the Houfe that the Council have Returned the Bill Entituled *an Act to prevent Hoggs belonging to the Inhabitants of York Town going at large within the Limits of the Said Town* And that they have propofed Several Amendments to the Said Bill and an Amendment to the Title of the Bill To which the Council defire the Concurrence of this Houfe

*Refolved* That this Houfe will take the Said Meflage and Memorial into Confideration to Morrow Morning

And then the Houfe Adjourned till to Morrow Morning Eleven a Clock.

*Friday December the 10<sup>th</sup> 1714.*

A PETITION of *William Jones Samuel Heath* and *Thomas Carter* was prefented to the Houfe and Read Praying an Allowance for their Attendance as Evidences againft *John Cottrell* brought to the Bar of this Houfe purfuant to *Mr Speakers* Warrant

*Ordered* That the Said Petition be Rejected

Mr *Bolling* Moving for Leave to go into the Country till *Wednesday* next Leave is accordingly given him

An Ingroffed Bill for altering the Day for *Princefs Ann* County Court And the Day for *Ejflex* County Court was Read the Third time

*Resolved* That the Bill do pass

*Ordered* That Mr *Boujsh* Do carry the Bill to the Council and desire their Concurrence thereunto

The House proceeded to the Consideration of the Amendments proposed by the Council to the Bill Entituled *an Act to prevent Hoggs belonging to the Inhabitants of York Town going at large within the Limits of the Said Town* And the Same were Read And Some of the Said Amendments were agreed unto and Some of them Disagreed unto by the House.

*Ordered* That Mr *Buckner* Do carry the Bill to the Council and Acquaint them that this House have agreed to Some of the Amendments by them proposed to the Said Bill And to Some have disagreed, And desire their Honours to pass the Bill with the Amendments agreed unto by this House

A Bill for the Relief of Persons who by reason of the Drought of last Summer have made Small quantities of Corn and Tobacco was Read a Second time and Committed

The House (according to Order) proceeded to the Consideration of the Governors written Message of Yesterday and the Memorial to which the Said Message Doth Refer And the Same being Read The Message is as followeth *Vizt*

*Mr Speaker and Gentlemen of the House of Burgeffes*

By the Memorial which I herewith Send you I come to understand that Fourty hogheads of tobacco belonging to the King are now lying in the Country: And for want of the conveniency of Shipping could not be exported before the Act for preventing frauds in Tobacco payments took place. As this Tobacco was purchased long Since, and fell into his Majestys hands on Account of a Debt Due to the Crown, It is reasonable to believe that great part thereof is not So qualified as the late Act requires: And that it would be So much intirely lost to his Majesty if it Should for that reason be Stopped here; And therefore I Recommend this Case as proper to be Considered when you are taking measures for the Relief of those people who have Suffered by the last Summer's Drought.

The Disappointment of Shipping in the Country this year to carry off the old tobacco, has Occasioned many Grievances of the like nature; And thereupon I must both in behalf of his Majesty and divers of his Majestys Subjects earnestly exhort you to agree to Relax for a Short time the force of that Law: tho Still under Such Restrictions as may prevent frauds, while We intend only to Relieve the unfortunate To allow people the Liberty of Exporting Such old tobacco as they formerly would Venture to freight upon their own Risque, will be Some Compensation to them for the Shortness of their Crops, And an indulgence which in my opinion ought to be Extended to them under their present Pressures; And Since you have agreed to prolong the Form of the Act, you may now the better yeild to deferr a little the Commencement of it in all its Latitude.

*A. Spotjwood*

*Ordered* That the Said Message and Memorial be Referred to the Committee to whom the Bill for the Relief of persons who by reason of the Drought of last Summer have made Small quantities of Corn and Tobacco is committed, And that they do Add Such a Clause to the Said Bill as Shall Answer the Matters Recommended in the Said Message

A Bill for Dividing the Parishes of *Bristol Westover* and *Waynoak* by the Rivers *James* and *Appamatox* And for Adding *Martin Brandon* Parish to one of the Said Parishes was Read a Second time and Committed to the Committee that prepared it.

*Ordered* That Mr *Littlebury Epes* be Added to the Said Committee

*Ordered* That it be an Instruction to the Said Committee that they have power to Recieve a Clause to prevent Suits of Law that may arise upon certain Bonds and Covenants passed concerning a Church to be built in one of the Said Parishes

Mr *Armistead* moving for Leave to go into the Country on Extraordinary Occasions Leave is accordingly given him And he is Ordered to Attend the Service of the House again on *Monday* next

Mr *Holloway* (according to Order) presented to the House a Bill to Supply the Defects in an Act Entitled *an Act for Laying a Duty on Liquors and Slaves*

Also a Bill to Exempt certain *German* Protestants from the payment of Levys for Seven years, and for Creating the Parish of *S<sup>t</sup> George*, and the Same were recieved and Read the first time And Ordered to be Read a Second time

Mr *Newton* on Motion hath Leave to be Absent from the Service of the House on his Extraordinary Occasions till *Thursday* next

Some Proposals being Offered to the Consideration of the House in relation to the Indian Trade the Same were recieved and Read

*Resolved* That it is the Opinion of this House that the Trade with the Tributary and Forreign Indians may be best carried on by a Company both with Respects to the Security of the frontiers And the Interest of the Country in General

*Ordered* That Leave be given to bring in a Bill upon the Said Resolution And that the Committee of Propositions and Grievances Do prepare and bring in the Bill

A Written Message from the Governor by Mr *Robertson*

Mr *Speaker and Gentlemen of the House of Burgeesses*

The Revenue appropriated for the Support of this Government encreasing yearly in Deficiencies; I am obliged to Remind you of my Message of the 28<sup>th</sup> of *November* 1712 to which you then in your Answer to me, made no other Objection, than the want of time to Consider fully of So great a Work

Now after two years I may reasonably Expect you are prepared to come to Some Resolutions thereupon. And hope they will be Such as may not only Disburthen the Revenue of the charge of the Spy boat and *French* Prisoners, but may also better Enable the Treasurer for the future to pay off the Ordinary Sallarys and Expences of this Government. As soon as I understand you are Entered upon the Consideration of the Revenue I shall Order to be Laid before you the further State thereof to this time.

I have ordered Mr *John Tyler* to Attend with his Accompts of the Governors house, for the time that he was Overfeer of that building

*December* the 10<sup>th</sup> 1714.

*A. Spotfwood*

*Resolved* That this House will take the Said Message into Consideration to Morrow Morning

Mr *John Tyler's* Accompts were presented to the House and the Same were Recieved  
*Ordered* That the Said Accompts Do Lye upon the Table

The House proceeded to the Consideration of the Book of Reports of the Committee for Publick Claims and part thereof being Read was agreed to with Some Amendments

*Ordered* That the Said Book be further Considered to Morrow

The Order of the day being Read for the House to take into Consideration the Report of the Committee appointed to Inspect the Laws Expired and near Expiring

*Resolved* That this House will take the Said Report into Consideration to Morrow And then the House Adjourned till to Morrow Morning Eleven a Clock

### *Saturday December the 11<sup>th</sup> 1714.*

THE House (according to Order) proceeded to the Consideration of the Governor's Message of yesterday and the Same was Read

*Resolved* That a Suitable Address to the Governor be prepared as an Answer to his Honor's Message

*Ordered* That Mr *Meriwether* Mr *Jones* Mr *Boush* Mr *Grey* Mr *Barbar* Mr *Bridger* Mr *Marable* Mr *Tully* Mr *Robinson* and Mr *Joseph Godwin* Do prepare and bring in the Said Address

*Ordered*

*Ordered* That the Consideration of the Report of the Committee appointed to Inspect the Laws Expired and near Expiring (Referred to this Day) be further Referred till *Monday* next

*Ordered* That the further Consideration of the Book of Reports of the Committee for Publick Claims (Referred to this Day) be further Referred till *Monday* next

A Bill to Exempt certain *German* Protestants from the payment of Levys for Seven Years, And for Erecting the Parish of *S<sup>t</sup> George*, was Read a Second time and an Amendment was made by the House to the Bill

*Ordered* That the Bill with the Amendment be Ingrossed

A Bill to Supply the Defects in an Act Entituled *an Act for Laying a Duty on Liquors and Slaves* was Read a Second time and Several Amendments were made by the House to the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

*Ordered* That the Committee of Propositions and Grievances do wait on the Governor and Acquaint him with the proceedings of this House upon Consideration of his Honours Message of the Ninth Instant

A Petition of Several of the Inhabitants and freeholders of the County of *Middlesex* was presented to the House and Read Praying that Leave may be given to bring in a Bill for Ringing Hogs in the Said County of *Middlesex* to prevent the Mischiefs Done to their Lands by Rooting

*Ordered* That the Petitioners have Leave to prepare and bring in a Bill according to the Prayer of the Said Petition

And then the House Adjourned till *Monday* Morning Eleven a Clock

### *Monday December the 13<sup>th</sup> 1714.*

**M**<sup>R</sup> *Goodrich* Reported from the Committee to whom the Bill for Dividing the Parishes of *Bristol Westover* and *Waynoak* by the Rivers *James* and *Appamatox* And for Adding *Martin brandon* Parish to one of the Said Parishes was Committed, That the Committee had made Several Amendments to the Bill and an Amendment to the Title of the Bill which they had Directed him to Report to the House, which he Read in his place and afterwards Delivered in at the Table where the Same were Read, and Some of the Said Amendments were agreed unto and Some of them Disagreed unto by the House.

*Ordered* That the Bill with Such of the Amendments as are agreed unto by the House be Ingrossed

A Message from the Council by *M<sup>r</sup> Robertson* That the Council have agreed to the Bill Entituled *an Act to Continue an Act Entituled an Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco*, As Amended by the House.

*M<sup>r</sup> Meriwether* Reported from the Committee appointed to prepare an Address to the Governor in Answer to his Honours Message of the Tenth Instant That they had prepared an Address accordingly which they had directed him to Report to the House which he Read in his Place and afterwards Delivered in at the Table, where the Same was Read

*Ordered* That the Said Address do Lye upon the Table

An Ingrossed Bill to Supply the Defects in an Act Entituled *an Act for Laying a Duty on Liquors and Slaves* was Read the Third time

*Resolved* That the Bill do pass

An Ingrossed Bill to Exempt certain *German* Protestants from the Payment of Levys for Seven years and for Erecting the Parish of *S<sup>t</sup> George* was Read the Third time

*Resolved* That the Bill do pass.

*Ordered* That the Committee of Propositions and Grievances do carry the Bills to the Council and Desire their Concurrence thereunto

*Ordered*

*Ordered* That the further Consideration of the Book of Reports of the Committee for Publick Claims (Referred to this Day) be further Referred till to Morrow

The Houfe (according to Order) proceeded to the Consideration of the Report of the Committee appointed to Infpect the Laws Expired and near Expiring And the Same was Read And part thereof was Agreed unto by the Houfe And is as followeth *Vizt*

*Resolved* That the Act Entituled *an Act for Security and Defence of the Country in times of Danger* Expiring the Tenth day of this present *December* be Continued

*Resolved* That the Act for *prevention of Abuses in Tobacco Shipped on Freight* Expiring at the End of this present Seflion of Affembly be Continued

*Ordered* That the Committee of Claims Do prepare and bring in a Bill or Bills for Continuing the Said Acts

*Ordered* That the further Consideration of the Said Report be Referred till to Morrow

And then the Houfe Adjourned till to Morrow Morning Eleven a Clock

*Tuesday December the 14<sup>th</sup> 1714.*

A WRITTEN Meffage from the Governor by M<sup>r</sup> *Robertfon*  
M<sup>r</sup> *Speaker and Gentlemen*  
of the Houfe of Burgeffes.

*December the 14<sup>th</sup> 1714*

You know that by your own Acts and Resolves both the *Carolina* Fund and this years pay of Eleven Troops of Rangers is intirely at my difpofal for certain ufes: And you Say in your late Addrefs to me that you hope there is a Fund Sufficient to Defray the charge of Securing the Frontiers for the present year: And that If I fhall See reafon to Continue that Security for any longer time, you will enable me to perform it, at leaft for one other year

My Sentiments upon this Matter are, that the Guard of the Frontiers fhould be Continued upon the foot of the new Regulation I have made thereof, and without expecting from you any further Supply for this purpofe than what you have already engaged to Raife; I now propofe to take upon me to defray the whole Expence not only for the present year, but alfo for Two years longer from about this time, So that the whole Expence of maintaining an Officer and twelve men at *Chriftanna*, and Four Troops of Rangers according to the present Eftablifhment, of fortifying and making the Road to *Germanna*; of the Fortifications and Buildings at *Chriftanna*; of Surveying Land for the Indian Settlements, of Treating this year with the Indians both Tributary and Forreign; of my Six weeks Expedition upon the Frontiers; and in general all charges whatfoever that have Accrued this year by the meafures I have taken to Secure the Frontiers, Shall be entirely Defrayed with no more than the Tobacco, which you are to Levy for the Ranging Service to the 31<sup>st</sup> of *January* next together with the Remainder of the *Carolina* Fund

By this Propofal you may not only perceive that I have confiderably leffened the charge of Securing the Frontiers, but you will Alfo find the people are in this year of Scarcity eafed in their Publick Levys above Two Hundred thoufand weight of Tobacco, which will be raifed timely enough if half thereof be paid the next year and the Remainder the year following

*A: Spotswood*

*Resolved* That this Houfe will take the Said Meffage into Consideration to Morrow Morning

M<sup>r</sup> *Christopher Neal* moving for Leave to go into the Country for Recovery of his health Leave is accordingly given him

A Petition of *Francis Tylor* Meflinger of the Houfe was (by Leave) prefented to the Houfe and Read Praying an Allowance of Five pounds Expended in Sending for Several perfons Inhabitants of the Northern Neck purfuant to M<sup>r</sup> *Speakers* Warrant

And

And the Queſtion being put that the Said *Francis* be Allowed according to the Prayer of his Petition

It was Reſolved in the Affirmative and thereupon

*Ordered* That an Allowance of Five pounds be made to the Petitioner according to the Prayer of his Petition

And the Allowance was made in the Book of Claims accordingly

*Mr Holloway* (according to Order) preſented to the Houſe a Bill for the better Regulation of the Indian Trade and the Same was Recieved and Read the firſt time and Ordered to be Read a Second time

Upon a Motion made

*Ordered* That the Committee for Publick Claims Do Inſpect the Treasuſers Accounts and Report to the Houſe by way of Account the Several Debts due from the Revenue and what Sum or Sums of Money are now in the Treasuſers hands for the Diſcharge of thoſe Debts.

*Mr Holloway* Reported from the Committee to whom the Bill for the Relief of perſons who by reaſon of the Drought of laſt Summer have made Small quantitys of Corn and Tobacco, was Committed that the Committee had made Several Amendments to the Bill And an Amendment to the Title of the Bill which they had directed him to Report to the Houſe which he Read in his place and then Delivered in at the Table where the Same were Read and Agreed unto by the Houſe, And Some other Amendments were made by the Houſe to the Bill

*Ordered* That the Bill with the Amendments be Ingroſſed

A Meſſage from the Council by *Mr Robertſon*. That the Council have agreed to the Bill Entituled *an Act to Divide the Countys of Charles City and James City by the River Chicohominy* with Some Amendments To which y<sup>e</sup> Council Deſire the Concurrence of this Houſe

The Houſe proceeded to the immediate Conſideration of the Said Amendm<sup>ts</sup> and the Same Were Read and Diſagreed unto by the Houſe

*Ordered* That the Committee of Propoſitions and Grievances do carry the Bill to the Council And Acquaint them that this Houſe Do not agree to the Amendments by them propoſed to the Said Bill

An Ingroſſed Bill for Dividing thoſe parts of the Pariſhes of *Briſtol Weſtover* and *Waynoak* which Lye on the South Side of *James* and *Appamatox* Rivers from thoſe parts of the Said Pariſhes which Lye on the North Side the Said Rivers and to make *Prince George* County two entire Pariſhes was Read y<sup>e</sup> third time

*Reſolved* That the Bill do paſs

*Ordered* That the Perſons that prepared the Bill do carry the Same to the Council and Deſire their Concurrence thereunto

*Mr Eskridge* Reported that the Committee of Claims had [according to Order] prepared a Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in times of Danger*, And alſo a Bill for Continuing an Act Entituled *an Act for prevention of Abuses in tobacco Shipped on freight* and he preſented the Bills to the Houſe and the Same were Recieved and Read the firſt time and Ordered to be Read a Second time

The Houſe [according to Order] proceeded to the further Conſideration of the Book of Reports of the Committee for Publick Claims, and Some other part thereof was Read and with Several Amendments agreed unto by the Houſe

*Ordered* That the further Conſideration of the Said Book be Referred till the Governors Meſſage of this Day be Conſidered

*Ordered* That the further Conſideration of the Report of the Committee appointed to Inſpect the Laws expired and near expiring [Referred to this day] be further Referred till the Governors Meſſage of this day be Conſidered

And then the Houſe Adjourned till to Morrow Morning Eleven a Clock.

*Wednesday*

*Wednesday December the 15<sup>th</sup> 1714*

**A** BILL for Continuing an Act Entituled *an Act for prevention of Abuses in Tobacco Shipped on Freight* was Read a Second time  
*Ordered* That the Bill be Ingrossed

A Message from the Council by Mr *Robertson*—

That the Council do not insist on the Amendments by them proposed to the Bill Entituled *an Act to prevent Hogs belonging to the Inhabitants of York Town going at large within the Limits of the Said Town*, to which this House have disagreed. And that the Council have agreed to the Bill with Such of their Amendments as this House have agreed unto

A Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in times of Danger* was Read a Second time, and Several Amendm<sup>ts</sup> were made by the House to the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

*Ordered* That Mr *John Tylers* Accompts of the Governors House be Inspected by the Committee of Claims, And that they do Report to the House what they find necessary thereupon

The House proceeded to the Consideration of the Address to be presented to y<sup>e</sup> Governor in Answer to his Honours Message of the 10<sup>th</sup> Instant to y<sup>e</sup> Revenue appropriated for the Support of this Government, And the Same was Read and with Amendments agreed unto by the House and is as followeth *Vizt*

*To the Honourable Alexander Spotswood her Maj<sup>ty</sup>s Lieu<sup>t</sup>. Govern<sup>r</sup> of Virginia May it Please your Honour*

We his Majestys most Loyal and Dutiful Subjects the Burge<sup>ss</sup> find our Selves under a great Streight how to proceed upon your Honours Message of the 10<sup>th</sup> Instant relating to the Revenue appropriated for the Support of this Government

Our Desires Prompt us to a Due Consideration of the Matter Recommended but we are Dishearten'd therefrom by the Low Circumstances of our Country and its present Engagements, Since by means thereof we think it not in our Power to prosecute those Desires

We hope this Declaration hath weight enough in it to Excuse us with your Honour for not proceeding further at this time, and we humbly Submit our Selves to your Honors wonted goodness for a favourable Representation to his Majesty on this Occasion; by which And a Suitable Application of the Council for the Quit Rents We are in hope his Majesty will be Graciously pleased to Direct that the whole or part of that Fund be made use of for the better Support of this Government,

*December the 15<sup>th</sup> 1714*

*Ordered* That the Said Address be fairly Transcribed and Signed by Mr *Speaker*

*Ordered* That the Persons that prepared the Said Address with Five members more do present the Same to the Governour

An Ingrossed Bill for the Relief of Persons who by reason of the Drought of last Summer have made Small quantities of Corn and tobacco and who for want of Opportunity of Shipping have great quantities of old tobacco now by them, and for Punishing persons who shall carry any hogthead of tobacco not stamped out of this Colony was Read the Third time

*Resolved* That the Bill do pass

*Ordered* That the Committee of Propositions and Grievances Do carry the Bill to the Council and Desire their Concurrence thereunto

A Message from the Council by Mr *Robertson*—

That the Council do Insist on their Amendments proposed to the Bill Entituled *an Act to Divide the Countys of Charles City and James City by the River Chicohominy* to which Amendments the Council Desire the Concurrence of this House

*Ordered* That the Consideration of the Said Message be Referred till *Friday* next

The

The House [according to Order] proceeded to the Consideration of y<sup>e</sup> Governors Message of Yesterday and the Same was Read

*Resolved* That a Suitable Address to the Governor be prepared as an Answer to the Said Message

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Said Address. And that they forthwith attend the Governor and Acquaint him with the Resolve of this House upon the Said Message

An Ingrossed Bill for Continuing an Act Entituled *an Act for prevention of Abuses in Tobacco Shipped on freight*, was Read the third time

*Resolved* That the Bill do pass

*Ordered* That the Committee of Claims Do carry the Bill to the Council and desire their Concurrence thereunto

M<sup>r</sup> *John Robinson* [according to Leave] presented to the House a Bill to prevent hogs going at large in the County of *Middlesex*, And the Same was Received and Read the first time, And Ordered to be Read a Second time

*Ordered* That Leave be given to bring in a Bill for Regulating the Current Rates of Gold Coin

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Bill

An Ingrossed Bill for Continuing an Act Entituled *an Act for Security and Defence of the Country in times of Danger* was read the Third time

*Resolved* That the Bill do pass

*Ordered* That the Committee of Claims do carry the Bill to the Council and Desire their Concurrence thereunto

A Bill for the better Regulation of the Indian Trade was Read a Second time.

And the Question being put that the Bill be Retained

It was Resolved in the Affirmative

*Ordered* That Such Amendments as Shall be proposed to the Said Bill be Offered to Morrow

And then the House Adjourned till to Morrow Morning Eleven a Clock.

### *Thursday December the 16<sup>th</sup> 1714*

THE House Resumed the Consideration of the Bill for the better Regulation of the Indian Trade, and Several Amendments being proposed to the Bill

*Ordered* That the Bill be Committed to the Committee that prepared it

A Written Message from the Council by M<sup>r</sup> *Robertson*

M<sup>r</sup> *Speaker* and *Genilemen of the House of Burgeses*

Upon Consideration of that part of Your Yesterdays Address to the Governor; wherein you mention a Suitable Application of the Council for a Supply from the Quit Rents, to make good the Deficiency of the Revenue: The Council do unanimously approve your Motion; but to Render it more Effectual are of Opinion that it Requires a Joint Application of both Council and Burgeses, being a business of the greatest Consequence to the Govern<sup>t</sup>. We therefore desire your Concurrence in an Address to his Majesty to this purpose, And that you will appoint a Committee of your House to meet a Committee of the Council to Draw it in a Suitable manner

The House proceeded to the immediate Consideration of the Said Message, And thereupon

*Resolved* That a Committee of this House be appointed to meet a Committee of the Council to Draw up an Address to his Majesty upon the Subject Matter of the Said Message

And a Committee was appointed for that purpose (to wit) M<sup>r</sup> *Holloway* M<sup>r</sup> *Meriwether* M<sup>r</sup> *Buckner* M<sup>r</sup> *Christopher Robinson* M<sup>r</sup> *John Robinson* and M<sup>r</sup> *Eskridge*

*Ordered*



*Ordered* That the Said Committee Do acquaint the Council with the proceedings of this House upon their Honors Message

Mr *Holloway* Reported that the Committee appointed to prepare an Address to the Governor in Answer to his Honor's Message of the 14<sup>th</sup> Instant had prepared an Address accordingly which they had directed him to Report to the House, which he Read in his place and afterwards Delivered in at the Table where the Same being again Read

*Resolved Nemine Contradicente*

That this House Do agree with the Committee in the Said Address

*Ordered* That the Address be fairly transcribed and Signed by Mr *Speaker*

*Ordered* That the Committee that prepared it with Six Members more do present the Same to the Governor

A Bill to prevent Hoggs going at large in the County of *Middlesex* was Read a Second time and Several Amendments were made by the House to the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

A Message from the Council by Mr *Robertson*. That the Council have appointed Three of their Members to meet the persons appointed by this House [in the Conference Room at three of the Clock] to draw an Address to his Majesty upon the Subject Matter of the Councils written Message of this day

And then the House Adjourned till to Morrow Morning Eleven a Clock

To the Honourable Alexander Spotswood his Maj<sup>ty</sup>'s Lieu<sup>t</sup> Govern<sup>r</sup> of Virginia

*The Humble Address of the House of Burgesse*

*May it Please your Honour*

The many proofs you have given us of your Care in Disposing the Publick Moneys you have been pleased to take under your Management agreeably to the Purposes for which they were designed have Etablised So firm a Confidence in this House of your Honours Justice and Frugallity that We think the Treasure of this Colony cannot be more Safely Entrusted or better Laid out than under the Direction of a Governor whose Interest is united with that of the Publick

We have Considered the Proposal made to this House in your Honours Message of the Fourteenth Instant And take it to be So Advantageous to the Publick that We do most readily Accept it And the manner you are pleased to propose for payment of the Tobacco will be So easy to the people under the Difficultys they Labour by their present Misfortunes that We are obliged to Return you the thanks of this House for that Indulgence

The Judgment you have Shewn in forming the Design of Guarding the Frontiers from the Incursion of the Indians And the Application you have used in putting it in Execution make us desire your Honour will be pleased to proceed in the method you have So well Confered and We Heartily pray yo<sup>r</sup> Hono<sup>r</sup> may Rule over us many more years than will bring that work to perfection.

*December the 16<sup>th</sup> 1714.*

### *Friday December the 17<sup>th</sup> 1714*

MR *Holloway* Reported that the Committee appointed by this House together with the Members appointed by the Council to draw up an Address to his Majesty upon the Subject Matter of the Councils written Message of yesterday had drawn up an Address to his Majesty accordingly, And also an Address to the Governor to Sollicit his Honor's favor in getting the Same presented to his Majesty And that the Council have Approved the Said Addresses And he presented them to the House and the Same being Read and approved by the House

*Ordered* That Such Members of this House as were of the Committee appointed to Draw up an Address to his Majesty Do carry the Said Addresses to the Council and Acquaint them that this House do approve the Same

A Written Message from the Governor by Mr *Robertson*  
 Mr *Speaker and Gentlemen of the House of Burgesjes*

The Address you Sent me Yesterday contains So many Expressions of your Confidence in, and Approbation of my Management of your Publick Treasure, that they cannot but be Extremely pleasing to me, And I return you thanks for the Same

If I Live among you to bring to perfection what I have already begun, for Security of your Frontiers; it shall be my care to convince the whole Country that the trust reposed in me by their Representatives is not misplaced; but Since you know I am only here during pleasure, it is my desire that you have a Visible Security for the Due Application of what charge you Shall be at on that account, And therefore I propose in the first place, That all the Rangers as they are now Established be paid off to the Tenth of *November* last past, and the Tobacco Levied as usual. That the pay which shall be due to them from the Said Tenth Day of *November* to the first of *December* 1715 be Levied for them in the year 1715 which together with the Cash I Reckon amounts to 124852<sup>li</sup> of tobacco And that the pay for the Succeeding year from the first day of *December* 1715 to the first of *December* 1716 amounting to 118368<sup>li</sup> tobacco, be paid in the Publick Levy for the Said year 1716. By which means the Services will be performed before the pay becomes due, and the people will be eased in their Publick Levys this year 243,220 pounds of tobacco. In the next place that the Remainder of the Tobacco which would have been due to the Eleven Troops of Rangers, if they had continued compleat till the 31<sup>st</sup> of *January* next, be now Levied and appointed to be paid to me for Defraying Such Charges as I have already Laid out. And because I am under an Engagement to pay a considerable quantity of tobacco in the Countys of *Richmond* and *Effex*, I desire that as much as the Publick Levy of those two Countys amount to may be paid me there, or else in that of *King* and *Queen* And lastly that for easing the Country from the payment of Interest on the *Carolina* Fund I propose that the Sum of £174. being the pay that will be due to the Officers and men appointed for the Guard of *Christanna* for One year ending the first day of *December* 1715, And the like Sum for their pay to the first of *December* 1716 Remain in the hands of your Treasurer until those payments become due. And that the Remainder of that fund not already taken upon Interest be paid to me as the Same Shall arise out of the Dutys on Liquors and Slaves next after the payment of the Principal and Interest already due.

This I hope will be a Sufficient Security for the Application of what you have entrusted me with, and a Testimony of my Intentions to render the Guard of your Frontiers as little burthenfome to the People as possible

A : *Spotswood*

The House proceeded to the immediate Consideration of the Said Message and thereupon

*Resolved* and accordingly *Ordered*

That the Rangers pay be Levied as proposed in the Said Message; And that the Committee for Publick Claims do perfect the Book of Claims accordingly

Mr *Holloway* (according to Order) presented to the House a Bill for Regulating and Settling the Current Rates of Gold Coin and of *Brittish* milled Silver Coin in this Dominion and the Same was Received and Read the first time and Ordered to be Read a Second time

Mr *Holloway* Reported from the Committee to whom the Bill for the better Regulation of the Indian Trade was Committed: That they had made Several Amendments to the Bill which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where the Same were Read and agreed unto by the House

*Ordered* That the Bill with the Amendments be Ingrossed

An Ingrossed Bill to prevent hogs going at large in the County of *Middlesex* was Read the third time

*Resolved* That the Bill do pass

*Ordered*

*Ordered* That the Burgeffes for the County of *Middlefex* and Four Members more do carry the Bill to the Council and desire their Concurrence thereunto

The House [according to Order] took into Consideration the Amendments infited on by the Council propofed to the Bill Entitled *an A<sup>ct</sup> to Divide the Countys of Charles City and James City by the River Chicohominy* and the Same were Read

After a Debate the Question was put that the Amendments be agreed to

It paffed in the Negative

*Refolved* That the Houfe do Adhere to the Bill as paffed by this Houfe

*Ordered* That the Committee of Propofitions and Grievances do carry the Bill to the Council and Acquaint them that this Houfe do Adhere to the Bill without any Amendments and desire their Honours to agree to the Bill as paffed by this Houfe

A Meffage from the Council by Mr *Robertfon*. That the Council have Signed the Addrefs to his Majefty and alfo the Addrefs to the Governor and have Returned the Same to this Houfe for their Signing

And then the Houfe Adjourned till to Morrow Morning Eleven a Clock

*To the Kings moft Excell<sup>t</sup> Maj<sup>ty</sup>*

*The Humble Addrefs of the Council and Burgeffes of Virginia*

We your Majeftys moft Loyal and Dutiful Subjects the Council and Burgeff<sup>s</sup> of *Virginia* now met in a General Affembly humbly beg Leave to Represent to your Majefty

That your Majeftys Revenue of 2<sup>s</sup>. 3<sup>d</sup>. hogfhead on all Tobacco Exported out of this Colony, and Tunnage and head Money which is the only Revenue appropriated for the Support of this Government by the Great decay of the Tobacco Trade, Occafioning a Proportionable Decreafe of the Exports, is So Sunk that it is no longer able to defray the Eftablifhed Sallarys And other both Ordinary and Extraordinary charges of the Government, but is now very confiderably in Debt, and the Officers Sallarys unpaid

That upon a diligent Search of Prefidents how the like Deficiencies have been made good in former times We find that by a Letter of his Majefty King *Charles y<sup>e</sup> Second* Dated in the year 1684 and Directed to the Lord *Effingham* then Governor of *Virginia* his Majefty is Graciously pleafed to Declare his Royal Intentions to Apply all the profits and advantages accruing by the Revenue of Quit Rents of this Colony for the better Support of the Government thereof, and that accordingly the Deficiency of 2<sup>s</sup>. 3<sup>d</sup>. hogfhead have been always Supplied by your Majeftys Predeceffors out of the Said Fund of the Quit Rents, which for that purpofe was Referved in this Country ready for all Emergencys of this Government till about nine year ago, that the Same was called into the Exchequer in *England*

We humbly pray your Majefty will therefore be Graciously pleafed to direct the Quit Rents of this Country back into their old Channell, And that out of them the prefent Deficiency of the Revenue may be made good; with power alfo to your Majeftys Governor with Advice and Confent of the Council to Apply the Same for Anfwering any Sudden Emergencys where your Majeftys Service might Suffer for want of a more timely Supply than Application at So great Diftance will Admit Subject neverthelefs to be duly Accounted for as formerly to your Majefty

And We fhall ever pray

*To the Honourable Alexander Spotfwood his Maj<sup>ty</sup>s Lieu<sup>t</sup>. Govern<sup>r</sup>. of Virginia*

*The Humble Addrefs of the Council and*

*Burgeffes of the prefent General Affembly*

*May it Please your Honour*

The experience We have of your great Care Vigilance Prudence and Good Conduct in Managing your Truft in this Government to the beft Advantage for his Majeftys Service and the Publick Good Encourages us with more than Ordinary Confidence to have Recourfe to you on all Occafions of Difficulty

Of thefe there is one at prefent moft Senfibly felt, and if not timely provided for may expofe this Government to the utmoft danger and Contempt. It is the Deficiency  
of

of the Sole Fund Alotted for the Eftablifhed Sallarys, and all the other both Ordinary and Extraordinary charges of the Government

*Sir*, upon a Diligent Search of Prefidents how the like Deficiencys were formerly made good, We find it hath always been out of the Fund of the Quit Rents which used to be referved in this Country ready upon all Such Occasions, and proved exceeding Serviceable in cafes of Sudden Emergency to the Crown and this Government till about nine year ago they were called in to the Exchequer in *England*, where as they are not So ready to Anfwer any Sudden Neceffity of this Government, So there is no obtaining them but by repeated Applications to the Throne, which cannot be made without great charge and Difficulty

The Council and Burgefles have thought it their Duty and abfolutely neceffary to Addrefs his Majefty on this Occafion; and to make a true Representation of this Affair. This Addrefs they humbly request your Honour to Tranfmit and to favour with your own Recommendation which they doubt not will have great Weight, and will encrease the Obligations of Gratitude Due from this Colony, And the Council and Burgefles who are

*Sir*

Your moft humble and Obedient Servants

*Saturday December the 18<sup>th</sup> 1714*

**A**N Ingroffed Bill for the better Regulation of the Indian Trade was read the Third time

*Refolved* That the Bill Do pafs

*Ordered* That the Committee of Propofitions and Grievances Do carry the Bill to the Council and defire their Concurrence thereunto

A Bill for Regulating and Setling the Currant Rates of Gold Coin and of *Brittish* milled Silver Coin in this Dominion was Read a Second time and an Amendm<sup>t</sup> was made by the Houfe to the Bill

*Ordered* That the Bill with the Amendment be Ingroffed

A Meffage from the Council by Mr *Robertfon*.

That the Council have agreed to the Bill Entituled *an Act for Altering the Day for Princefs Ann County Court and the Day for Effex County Court* with Several Amendments to which the Council defire the Concurrence of this Houfe

And alfo that the Council have agreed to the Bill Entituled *an Act to Exempt certain German Proteftants from the payment of Levys for Seven Years and for Erecting the Parifh of Saint George* with Several Amendments to which the Council Defire the Concurrence of this Houfe

The Houfe proceeded to the Confideration of the Said Amendments and the Same were Severally Read and agreed unto by the Houfe

*Ordered* That the Committee of Propofitions and Grievances Do carry the Bills to the Council and acquaint them that this Houfe have agreed to the Several Amendments by them propofed to the Said Bills

A Motion being made and the Queftion being put That the Duty on Liquors and Slaves be Continued

It was *Refolved* in the Affirmative

*Refolved* That the Said Duty be Continued for Two years from and after the Expiration of the Act Entituled *an Act for Laying a Duty on Liquors and Slaves*

*Ordered* That the Committee of Propofitions and Grievances Do prepare and bring in a Bill upon the Said Refolution

And then the Houfe Adjourned till *Monday* Morning Eleven a Clock

*Monday*

*Monday December the 20<sup>th</sup> 1714*

**M**<sup>R</sup> *Holloway* [according to Order] presented to the House a Bill for y<sup>e</sup> further Continuing *an Act for Laying a Duty on Liquors and Slaves* and two other Acts relating to that Act, And the Same was Received and Read the first time, and Ordered to be Read a Second time

An Ingrossed Bill for Regulating and Settling the Current Rates of Gold Coin and of *Brittish* Milled Silver Coin in this Dominion was Read the third time

*Resolved* That the Bill do pass

*Ordered* That the Committee of Propositions and Grievances do carry the Bill to y<sup>e</sup> Council and Desire their Concurrence thereunto

Upon a Motion made

*Ordered* That *Mr Buckner Mr Allerton Mr Francis Epes* and *Mr Soane* do Inspect *Mr Christopher Jacksons* Account of the charge of Surveying and Laying out the City of *Williamsburgh* and the Roads to the Ports belonging to the Said City and also that they Examine the Said *Jackson* upon Oath touching the Article of Expences in the Said Account mentioned, and Report to the House their Opinion thereupon

A Bill for the further Continuing *an Act for Laying a Duty on Liquors and Slaves* And two other Acts relating to that Act, was Read a Second time And an Amendment was made by the House to the Bill

*Ordered* That the Bill with the Amendment be Ingrossed

A Message from the Council by *Mr Robertson*

That the Council have agreed to the Bill Entituled *an Act for Continuing an Act Entituled an Act for prevention of Abuses in Tobacco Shiped on Freight* without any Amendment

And also that the Council have agreed to the Bill Entituled *an Act to prevent Hogs going at large in the County of Middlefex* without any Amendment

An Ingrossed Bill for the further Continuing *an Act for Laying a Duty on Liquors and Slaves* and two other Acts relating to that Act was Read the Third time

*Resolved* That the Bill do pass

*Ordered* That the Committee of Propositions and Grievances Do carry the Bill to the Council and Desire their Concurrence thereunto

A Message from the Council by *Mr Robertson*. That the Council have agreed to the Bill Entituled *an Act for Dividing those parts of the Parishes of Bristol Westover and Waynoak which Lye on the South Side of James and Appamatox Rivers from those parts of the Said Parishes which Lye on the North Side the Said Rivers and to make Prince George County two entire Parishes* with Several Amendments, To which the Council Desire the Concurrence of this House

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Tuesday December the 21<sup>st</sup> 1714*

**M**<sup>R</sup> *Buckner* from the Committee for Publick Claims Reported that the Said Committee had [according to Order] perfected the Book of Claims which he presented to the House and the Same was Received and Read through and with Some Amendments agreed unto by the House, And the Allowances to the Several Officers of the Assembly were added by the House to the Book

*Ordered* That the Committee for Publick Claims Do carry the Book to the Council and Desire their Honours Concurrence thereunto

A Message from the Council by *Mr Robertson*.

That the Council have agreed to the Bill Entituled *an Act for the Relief of persons who by reason of the Drought of last Summer have made Small quantitys of Corn and Tobacco and who for want of Opportunity of Shiping have great quantitys of old tobacco now*  
by

by them and for punishing persons who shall carry away hogheads of tobacco not Stamped out of this Colony, with Some Amendments to which the Council desire the Concurrence of this House

The House proceeded to the Consideration of the Said Amendments and y<sup>e</sup> Same were Read and Agreed unto by the House and made in the Bill

Ordered That the Committee of Propositions and Grievances do carry the Bill to the Council and acquaint them that this House have agreed to the Amendm<sup>ts</sup> by their Honours proposed to the Said Bill

The House proceeded to the Consideration of the Amendments proposed by the Council to the Bill Entituled *an Act to Divide those parts of the Parishes of Bristol Westover and Waynoak which Lye on the South Side of James and Appamatox Rivers from those parts of the Said Parishes which Lye on the North Side the Said Rivers and to make Prince George County two entire Parishes* And the Same were Read and part of the Said Amendments were agreed unto and part of them disagreed unto by the House and a new Amendment was made by the House to the Bill

Ordered That the Persons that prepared the Bill Do carry the Same to the Council and Acquaint them that this House have agreed to part of the Amendments by them proposed to the Said Bill and to part have disagreed and have made a new Amendment to the Bill to which they desire their Honours Concurrence

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Wednesday December the 22<sup>th</sup> 1714*

A MESSAGE from the Council by Mr Robertfon.

That the Council have agreed to the Bill Entituled *an Act for Continuing an Act Entituled an Act for Security and defence of the Country in times of Danger* And also that the Council have agreed to the Bill Entituled *an Act for the further Continuing an Act for Laying a Duty on Liquors and Slaves* and two other Acts relating to that Act without any Amendments

And that the Council have agreed to the Bill Entituled *an Act for Regulating and Setting the Current Rates of Gold Coin and of Brittish Milled Silver Coin in this Dominion* with Several Amendments to the Bill and an Amendment to the Title of the Bill to which the Council desire the Concurrence of this House

And also that the Council have agreed to the Bill Entituled *an Act to Supply the Defects in an Act Entituled an Act for Laying a Duty on Liquors and Slaves* with Several Amendments to which the Council Desire the Concurrence of this House

The House proceeded to the Consideration of the said Several Amendments to the Said Bills and the Same were Severally Read and Agreed unto by the House

Ordered That the Committee of Propositions and Grievances do carry the Bills to the Council and Acquaint them that this House have agreed to the Amendments by them proposed to the Said Bills

Mr Buckner Reported from the Committee appointed to Inspect the Account of Mr Christopher Jackson for Surveying and Laying out the City of Williamfburgh and the Roads and Ports to the Said City belonging, that the Said Committee had Inspected and considered the Said Account And are of Opinion that the Said Jackson be Allowed for the Said Service the Sum of Thirty Seven pounds Fourteen Shillings And that he be Allowed for his Disbursements thereon Thirty four pounds Thirteen Shillings and two pence

Resolved That this House Do agree with the Committee in the Said Report  
A Message from the Council by Mr Robertfon:

That the Council do recede from part of the Amendments by them proposed to the Bill Entituled *an Act to Divide those parts of the Parishes of Bristol Westover and Waynoak which Lye on the South Side of James and Appamatox Rivers from those parts of the Said Parishes*

*Parishes which Lye on the North Side the Said Rivers and to make Prince George County two entire Parishes to which this House have Disagreed: And on part of the Said Amendments do insist and have made an Amendment to the Amendments proposed by this House to the Amendments of the Council*

The House proceeded to the Consideration of the Said Message and after Some time Spent therein

A Motion was made and the Question was put. That a Conference be desired with the Council on that part of their Amendment on which their Honours do insist

It passed in the Negative

*Resolved* That this House do Adhere to the Amendments by them proposed to the amendments of the Council to the Said Bill

*Ordered* That the persons that prepared the Bill do carry the Same to the Council and acquaint them with the Resolution of this House upon their Said Message

Mr *Buckner* Reported that the Committee for Publick Claims had [according to Order] Inspected Mr *Treasurers* Accounts And that they find the ballance thereof due to the General Assembly £885 || 14 || 7½ And the General Account of Mr *Treasurer* was Read and passed the House of Burgeesses

*Ordered* That Mr *George Walker* do make Oath to his Account mentioned in the Said General Account of Mr *Treasurer* and also that he make Oath to the Account of Mr *Nicholas Curle* deceased by him given in to Mr *Treasurer* and in the Said General Account mentioned

*Ordered* That the Committee for Publick Claims do carry Mr *Treasurers* Accounts to the Council and Desire their Concurrence thereunto

*Resolved* and accordingly *Ordered*

That So much of the Money appropriated for the Service and Relief of *North Carolina* as was taken up at Interest be with the Interest thereupon paid out of the Moneys now in Mr *Treasurers* hands by the first day of *february* next at furthest and that no further Interest be Allowed for the Same

*Resolved* and accordingly *Ordered*

That the Money Allowances made to the Officers the last Session and this present Session of Assembly be paid the Several Persons to whom the Same is due out of the Money arising by the Dutys on Liquors and Slaves next after the money appropriated for the Service and Relief of *North Carolina* And that for So much of the Said Allowances as Shall Remain unpaid by the first day of *february* next there shall be Allowed to the Persons claiming the Same after the Rate of five p Cent p Annu upon Such Money unpaid as aforesaid until the Same be paid Provided Such Allowance of Interest do not exceed Six months

Upon a Motion made

The House was called over and thereupon

*Ordered* That *William Bridger Francis Gouldman John Hawkins Willolby Allerton John Waugh* and *Henry Fitzhugh* [failing to Answer upon call] be Sent for in custody of the Messenger to Answer their Defaults in not Attending according to their Duty the Service of the House, and that Mr *Speaker* issue his Warrant accordingly

A Message from the Council by Mr *Robertson* That the Council have passed Mr *Treasurers* Accounts And that the Same are Affented to by the Governor

And then the House Adjourned till to Morrow Morning Eleven a Clock

*Thursday December the 23<sup>d</sup> 1714*

**O**RDERED That Mr *Boush* Mr *Newton* Mr *Francis Epes* Mr *Goodrich* Mr *Jones* and Mr *Waller* Do Examine the Several Inrolled Bills by the Inrolled Bills

A Message from the Council by Mr *Robertson*. That the Council have agreed to the Bill Entituled *an Act for the better Regulation of the Indian Trade* with Several Amendments To which they Desire the Concurrence of this House

A Written Message from the Governor by Mr *Robertson*

*Mr Speaker and Gentlemen of the House of Burgeffes*

Your Address in Answer to my Speech at the Opening of this Session gives me to Expect that you will take Some Measures for preserving the Arms and Ammunition; And in your Bill for Regulating the Indian Trade, I observe the Methods you propose for that purpose but I must let you understand that I dare not trust the Kings Magazine to be Negotiated without good Security given that there shall be no Embellishment of the Arms and Ammunition and it cannot but be a person of Low circumstances who Shall think it worth his while to Attend an Office for a Salary of Twelve pounds, and as Such I cannot place him in So great a Trust, and therefore I must Desire you to fall upon ways and means to provide a better Salary to the End I might find a Sufficient and Responsible Officer. I hope this will not take up much of your time, for I am Sensible how Inconvenient an Adjournment would be to you at this Season and the Situation of Affairs will not Admit of a long Prorogation

*A Spotswood*

The House took the Said Message into Consideration and thereupon increased the Salary of the Magazine keeper by way of Amendment to the Bill for the better Regulation of the Indian Trade

*Ordered* That Leave be given to bring in a Bill for Erecting a Magazine and that the Committee of Propositions and Grievances do prepare and bring in the Bill

Then the House proceeded to the Consideration of the Amendments proposed by the Council to the Bill for the better Regulation of the Indian Trade, And the Same were Read and part of the Said Amendments were agreed unto and part of them Disagreed unto by the House

*Ordered* That the Committee of Propositions and Grievances do carry the Bill to the Council and acquaint them that this House Have agreed to part of the Amendments by them proposed to the Said Bill and to part have disagreed and Desire their Honours to pass the Bill with the Amendments agreed unto by this House

*Ordered* That the Committee for Publick Claims do carry the Resolve of this House of yesterday relating to the Allowance made to the Officers of the Assembly to the Council and desire their Concurrence thereunto

A Written Message from the Council by Mr *Robertson* with the Book of Claims

The House proceeded to the immediate Consideration of the Said Message and the Same was Read and is as followeth *Vizt*

*Mr Speaker and Gentlemen of the House of Burgeffes*

Upon Consideration of the Book of Claims the Council observe that the Allowance made to the Lieutenants *Jackfon* and *James*, is Computed for five Days more than they actually Ranged it appearing that the Said Rangers were disbanded on the 10<sup>th</sup> of *January* the Allowance for each Troop for the Said five days being 832<sup>l</sup> tobacco the Council propose may be deducted out of the Sum mentioned in the Book of Claims and Added to the Sum appointed to be paid the Governor

And Since it will appear by the Computation herewith Sent that the full pay to the Eleven Troops of Rangers if they had been continued to the 31<sup>th</sup> of next month amounts to 721220<sup>l</sup> of tobacco and that the Several Sums of Tobacco mentioned in the Book of Claims fall Short of that Sum 39192<sup>l</sup> tobacco The Council propose that the Said last mentioned Sum be Added to the other Sums in the Book of Claims which are to be Levied this year for the Governor to enable him [according to his Proposal] to pay off the Debts he has already contracted for Securing the Frontiers

*Ordered* That the Amendments proposed by the Council to the Book of Claims be made in the Book and that the Committee for Publick Claims do immediately withdraw and make the Said Amendments

And they withdrew accordingly

And



And being Returned Mr *John Robinfon* reported that the Said Comittee had made the Amendments in the Book as propofed by the Council

*Ordered* That the Committee for Publick Claims Do carry the Book to the Council and acquaint them that the Amendments by them propofed are made in the Book

A Meffage from the Council by Mr *Robertfon*. That the Council have agreed to the Refolve relating to the Allowances made to the Officers of the Affembly with an Addition

The Houfe took the Said Meffage into Confideration and the Said Addition was Read and Difagreed unto by the Houfe

*Ordered* That the Committee for Publick Claims Do acquaint the Council that this Houfe have Difagreed to the Addition by them propofed to the Said Refolve

A Meffage from the Council by Mr *Robertfon*. That the Council have paffed the Book of Claims and alfo the Refolve relating to the Allowance made to the Officers of the Affembly as Sent up by this Houfe and that they have obtained the Governors Affent to the Same.

*Ordered* That a Bill be brought in for Raifing a Publick Levy and that the Comittee for Publick Claims do prepare and bring in the Bill.

A Committee for Proportioning the Publick Levy *Vizt*

Mr *Buckner*.....Mr *John Robinfon*

Mr *Soan*.....Mr *Bolling*

A Meffage from the Council by Mr *Robertfon* That the Council do Infift on their Amendments propofed to the Bill Entituled *an Act for the better Regulation of the Indian Trade* to which this Houfe have difagreed

The Houfe took the Said Meffage into immediate Confideration and thereupon *Refolved* That this Houfe do adhere to the Difagreement of thofe Amendments on which the Council do infift

*Ordered* That the Committee of Propofitions and Grievances do acquaint the Council with the Said Refolve

And then the Houfe Adjourned till to Morrow Morning Eight a Clocke

*Friday December the 24<sup>th</sup> 1714*

UPON a Motion made

*Refolved* That all the Money heretofore given for the Service of *North Carolina* not made ufe of be paid to the Honourable the Lieu<sup>t</sup>. Governor according to the Propofal in his Meffages to this Houfe of the 14<sup>th</sup> and 17<sup>th</sup> Instant

*Ordered* That the Committee of Propofitions and Grievances Do carry a Coppy of the Said Refolve to the Council and Defire their Concurrence to the Refolve

Mr *Holloway* [according to Order] prefented to the Houfe a Bill for Erecting a Magazine And the Same was Received and Read the firft time and Ordered to be Read a Second time

Mr *Buckner* Reported that the Committee for Publick Claims had [according to order] Infpected Mr *John Tylers* Accounts of the Governors Houfe and do find due to the Said *Tyler* upon ballance Two hundred Thirty Eight pounds Ten Shillings and One Penny

And the faid Report being Considered was agreed unto by the Houfe

A Bill for Erecting a Magazine was Read a Second time and Several Amendm<sup>ts</sup> were made by the Houfe to the Bill

*Ordered* That the Bill with the Amendments be Ingroffed

A Meffage from the Council by Mr *Robertfon*. That the Council do Recede from Such of their Amendments by them propofed to the Bill Entituled *an Act for the better Regulation of the Indian Trade* to which this Houfe do not Agree

An

An Ingrossed Bill Erecting a Magazine was Read the third time

*Resolved* That the Bill do pass

*Ordered* That the Committee of Propositions and Grievances do carry the Bill to the Council and Desire their Concurrence thereunto

Mr *Buckner* [according to Order] presented to the House a Bill for Raising a Publick Levy and the Same was Received and Read the first time and Ordered to be Read a Second time

*Resolved* That the Bill be now Read a Second time

And the Bill was Read a Second time and Several Amendments were made by the House to the Bill

*Ordered* That the Bill with the Amendments be Ingrossed

Mr *John Robinson* Reported that the persons appointed had [according to Order] Proportioned the Publick Levy and that it amounted to Seventeen pounds of tobacco and a quarter  $\frac{3}{4}$  Poll And he presented to the House a Book of the Proportions and the Same was Received Read and agreed unto by the House

*Ordered* That the Persons that Proportioned the Publick Levy Do carry the Said Book to the Council and desire their Concurrence thereunto

An Ingrossed Bill for Raising a Publick Levy was Read the Third time

*Resolved* That the Bill do pass

*Ordered* That the Committee for Publick Claims Do carry the Bill to the Council and desire their Concurrence thereunto

A Message from the Council by Mr *Robertson* That the Council have agreed to the Bill Entituled *an Act for Erecting a Magazine* without any Amendm<sup>ts</sup>

And that the Council have agreed to the Resolve of this House of this day relating to the Money given for the Relief of *North Carolina* and have obtained the Governor's Assent thereunto

And also that the Council have agreed to the Bill Entituled *an Act for Raising a Publick Levy* without any Amendments

Mr *Bowsh* Reported that the persons appointed had [according to Order] Examined the Several Inrolled Bills by the Ingrossed Bills and that the Said Bills are truly Inrolled

*Ordered* That the Persons that Examined the Inrolled Bills do carry the Same to the Council for their Perusal

A Message from the Council by Mr *Robertson*. That the Council have agreed to the Book of Proportions without any Amendments And have obtained the Governors Assent thereunto

And also that the Council have perused and Examined the Bills Sent up by this House and are Satisfied that the Same are truly Inrolled

A Message from the Governor by Mr *Robinson*.

Mr *Speaker*

The Governor Commands the immediate Attendance of this House in the Council Chamber And that you bring with you Such Bills as are ready for his Assent

Accordingly Mr *Speaker* with the House went up to Attend the Governor in the Council Chamber where he was pleased to pass the Several Bills following *Vizt*

*An Act for the better Regulation of the Indian Trade*

*An Act to Exempt certain German Protestants from the Payment of Levys for Seven Years and for Erecting the Parish of Saint George*

*An Act for the Relief of Persons who by reason of the Drought of last Summer have made Small Quantities of Corn and Tobacco And who for want of Opportunity of Shipping have great quantities of old tobacco now by them And for Punishing persons who shall carry any hogheads of tobacco not Stamped out of this Colony*

*An Act for Erecting a Magazine*

*An Act to prevent the malicious burning or Destroying the Publick Store houses of Tobacco Agents*

*An Act to Continue an Act Entituled an Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco*

*An Act for Continuing an Act Entituled an Act for prevention of Abuses in Tobacco Shipped on ffreight*

*An Act to Supply the Defects in an Act Entituled an Act for Laying a Duty on Liquors and Slaves*

*An Act for the further Continuing an Act for Laying a Duty on Liquors and Slaves And two other Acts relating to that Act*

*An Act for Regulating and Settling the Current Rates of Gold Coin and of Brittish Silver Coin in this Dominion*

*An Act to Oblige Owners and Occupiers of Mills to which Publick Roads Shall Lead to make the Dams of Such Mills Ten foot wide at the Top*

*An Act to Repeal part of an Act Entituled an Act giving a Reward for killing of Wolves and for Lessening Such Rewards*

*An Act for Altering the Day for Princefs Ann County Court And the Day for Effex County Court*

*An Act for Raifing a Publick Levy*

*An Act to prevent Hoggs rooting within the City of Williamfburgh and certain Adjacent Places*

*An Act to prevent Hoggs going at large in the County of Middlefex*

*An Act to prevent Hoggs Rooting within the Limitts of York Town*

1925

1925

# JOURNAL

OF THE

# HOUSE OF BURGESSES.

AT A

## GENERAL ASSEMBLY

Begun at the Capitol the Third Day of *August*  
in the Second Year of the Reign of Our  
Sovereign Lord GEORGE by the Grace of God  
of *Great Brittain ffrence* and *Ireland* King  
Defender of the ffaith &c Annoq<sub>3</sub> Domini 1715

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RICHMOND, VIRGINIA.

MCMXI.



# JOURNAL

of the

## HOUSE OF BURGESSES.

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*Wednesday August the 3<sup>d</sup> 1715.*

**T**HE Members present to the Number of forty nine having taken the Oaths and made and Subscribed the Declaration and taken the Oath of Abjuration according to the Laws made for those purposes met in the House.

A Message from the Governor by *Mr Robertfon*.

*Gentlemen of the House of Burgesjes.*

The Governor Commands your immediate Attendance in the Council Chamber. Accordingly the House went up to Attend the Governor, And he was pleased to Say to this Effect

*Gentlemen*

The first Step to be made in the proceedings of the business for which we are Affembled is that you Repair to your House and make Choice of a Speaker. Accordingly the Burgesjes Returned to their House, and proceeded to the Choice of a Speaker: And Three Persons being Nominated the House made Choice of *Mr Daniel McCarty* for their Speaker who was Conducted and placed in the Chair.

*Ordered* That *Mr Corbin Mr Majon Mr Meriwether Mr Conway Mr Presly Mr Griffin Mr Goodrich Mr Marable Mr Robinson Mr Aughton Mr John Buckner* and *Mr Neal* Attend the Governor and Acquaint him that this House have made Choyce of a Speaker and know his Honors pleasure when the House shall present him.

*Mr Corbin* acquainted the House that the Governor having been waited upon to know when he would please that this House should present their Speaker. His Honour hath been pleased to appoint to morrow morning at Eleven a Clock in the Council Chamber

And then the House Adjourned till to morrow morning Ten a Clock

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*Thursday August the 4<sup>th</sup> 1715.*

**S**EVERAL other Members took the Oaths and made and Subscribed the Declaration and took the Oath of Abjuration according to the Laws made for those Purposes.

*Mr Speaker* Reported that the House had this Day Attended the Governor in the Council Chamber, where his Honour was pleased to Declare the Causes of calling this Assembly in a long Speech of which Speech he had obtained a Copy, which he Read to the House and is as follows.

*Gentlemen of the Council and House of Burgesjes*

Nothing less than a very important Occasion could have urged me thus Suddenly to call an Assembly, and to Convene you at this Season of the year. I Judging it high time

time to have Recourſe to your Advife and Affiftance, when the Safety and Honour of this Colony Lyes dangerouſly at Stake.

What has lately befallen our Fellow Subjects in *South Carolina* is Surely a dreadful warning to this Government, whoſe Inhabitants live as much expoſed; and I am not now to whiſper to you (as formerly) my Apprehenſions of future dangers and practicable Attempts; —Murders Maſſacres, and Tortures already Committed on your Neighbours, Loudly call upon you to Arm and Secure your People from a Treacherous and Mercileſs Enemy: and after Such an *ultima Ratio*, Such ultimate reaſoning, Words muſt add little towards convincing you of the neceſſity of a more uſeful Militia and of providing better for the Defence of your frontiers.

Since you Gentlemen of the Council have concurred in all the Meaſures hitherto taken for the Relief of our Diſtreſſ'd Brethren in *Carolina*, and have Reſolved with me to Afford them all the Affiſtance that Lyes in our power to give, it now reſts Solely on you, Gentlemen of the Houſe of Burgeſſes, to Determine whether or no, that oppreſſed Province Shall owe its Deliverance to *Virginia*.

I queſtion not but in the Deliberations of your Houſe, you'll find that Duty, Honour, and Intereſt Engage you to give immediate Succour, and I hope thoſe Motives will Enable you to overcome the Difficultys which Humour or prejudice may caſt in the way.

It is the Maxim of your Mother Country to defend its Neighbouring States [tho' Forreign Subjects] from all ambitious Invaders. and it would argue a Strange Degeneracy in you to Refuſe Aid to your Neighbours and fellow Subjects, when they are Attack'd by a powerful Confederacy of the moſt barbarous and blood thirſty foes that ever were upon the face of the Earth. We muſt appear to have neither Policy nor bowels of Compaſſion, if this Government can remain unconcerned, while Savage Pagans are overrunning one of our Adjacent Provinces, and inhumanely Butchering and Torturing our Brethren

Commiſſioners from *South Carolina* have been here to Sollicit this Government for a Supply of men and Arms, and I have made a Treaty to Aid them with both, as far as the Conditions of this Colony can Spare: The Encouragements given by thoſe poor People to the forces We lend, them are as great as reaſonably can be expected from them in their preſent Circumſtances; And I muſt Recommend to you to do Some what on your Part that may facilitate the Levys on this Occaſion, and render that Service more acceptable to our People.

The Raiſing men for the Affiſtance of that Province, and other Preparations of Warr for the Security of this; could not be effected without Expences: and that I Sincerely believe the Meaſures I have taken were immediately neceſſary, I can give no greater proof, than my Poſtponing the Payment of my own Sallary, by employing on this Emergency the fund given for the Maintainance of your Governo!

And this I have done, truſting that the impending Dangers will awaken the Representatives of the People into juſt Conſiderations of Supporting the Executive power; which at preſent is moſt dangerouſly refrained, by the Deficiency of the Revenue, from duly providing againſt Calamitys that our Neighbours are actually laboring under: And hereupon I am obliged earneſtly to preſs you Gentlemen of the Houſe of Burgeſſes, to give Some Supplys in Order to Redreſs this Grievance of the Government.

That you may have before you the full State of Affairs, I muſt further acquaint you that I have lately Received, from Some of the Nations now warring againſt *Carolina*, Offers of an Accommodation; but the proſpect of Such a Treaty ought by no means to divert or retard the Preparations of Defence That I am exhorting you to; for the Sureſt way to bring thoſe Pagans to our Terms, is to let them See our demands back'd with a force: and in my Opinion never had *Virginia* So fair an Opportunity as now, to acquire Glory, and appear to the Heathen the moſt formidable Dominion in *America*, Such a Reputation may at this Juncture be purchaſed with a Small Expence, and will,



I am perfwaded Guard your Country hereafter better than Some hundreds of Rangers kept in pay upon the frontiers

*Gentlemen*

It has already been Signified to you by the Writts which called you hither, that the chief matter I had to consult you upon was what I have now Laid before you: and this Affair being of a nature that requires immediate Difpatch, I fhall forbear to Offer any thing elfe at this time to your Confideration, being defireous to make this a Short Seffion, that I may be at liberty to treat with the Indian Chiefs, whom I expect, in the manner I Judge the moft Advifeable, that is, at the head of a body of men on the frontiers

*Refolved* That this Houfe will take the Said Speech into Confideration on *Munday* next.

A Commiffion from the Governor to Mr *ffrancis Tyler* to be Meffinger to the Houfe was Read

A Petition of *Benjamin Goodwin* Clerk was prefented to the Houfe and Read Praying to be Admitted Chaplain to the Houfe

*Ordered* That the Said *Goodwin* be Chaplain to the Houfe and that he Attend each morning in the Conference Room at Nine of the Clock and Read Divine Service.

A Committee of Elections and Priviledges

Mr *Corbin* Chairman

Mr *Meriwether* . . . . . Mr *Presley*

Mr *Conway* . . . . . Mr *Griffin*

*Ordered* That Mr *Miles Cary* be Clerk of the Committee of Elections and Priviledges and give his Attendance accordingly.

A Committee for Publick Claims.

Mr *Beverley* Chairman

Mr *Barbar* . . . . . Mr *Drumond*

Mr *Bird* . . . . . Mr *Randolph*

Mr *Neal* . . . . . Mr *Diggs*

Mr *Marable* . . . . . Mr *Goodrich*

Mr *Boujsh* . . . . . Mr *Jones*

A Petition of Mr *Miles Cary* was prefented to the Houfe and Read Praying to be Admitted Clerk to the Committee for Publick Claims

*Ordered* That he be Admitted Clerk to the Said Committee for Publick Claims and that he give his Attendance accordingly.

A Committee for Propofitions and Grievances

Mr *Clayton* Chairman

Mr *Corbin* . . . . . Mr *Conway*

Mr *Meriwether* . . . . . Mr *Majon*

Mr *Ajhton* . . . . . Mr *Harrifon*

Mr *Robinfon* . . . . . Mr *Burwell*

Mr *Jenkins* . . . . . Mr *John Buckner*

A Petition of Mr *Phillip Lightfoot* was prefented to the Houfe and Read Praying to be Admitted Clerk of the Committee for Propofitions and Grievances.

Alfo a Petition of Mr *Chriftopher Jackfon* was prefented to the Houfe and Read Praying to be Admitted Clerk of the Same Committee

*Ordered* That Mr *Phillip Lightfoot* be Clerk of the Committee of Propofitions and Grievances and that he give his Attendance accordingly.

*Ordered* That the Committees have power to Adjourn themfelves *De Die in Diem* and to Send for Perfons Records Journals and other Papers they fhall from time to time have Occafion of

The Orders of the Houfe for the laft Seffion being Read at the Table.

*Refolved* That the Houfe do approve the Same and that they be Continued Orders for this Seffion.

*Ordered*

*Ordered* That the Said Orders Lye constantly upon the Table for the Perusal of the Members.

*Resolved* and accordingly *Ordered*.

That it be a Standing Rule of this House that fifteen Members with the Speaker be a Sufficient number to Adjourn

*Resolved* and accordingly *Ordered*

That all Propositions Grievances and Publick Claims be brought into the House on this day Seven night at furthest or not to be Received in this Session of Assembly without particular Leave of the House

*Ordered* That the Clerk of the House Publish the furthest time Set by y<sup>e</sup> House for Receiving Propositions Grievances and Publick Claims during this Session by Setting up a fair Copy of the Resolve of the House made in that behalf.

*Ordered* That the Committee of Propositions and Grievances Inspect the Journal of the House at the last Session and Report to the House what they find necessary to be taken into Consideration this Session.

*Ordered* That the Committee for Publick Claims Inspect the Report of the Committee of Claims at the last Session and Report to the House what they find necessary to be further Considered this Session.

*Resolved* and accordingly *Ordered*

That all Petitions Propositions and Grievances Directed for y<sup>e</sup> last Session of Assembly and not then Considered be Admitted to the Consideration of this Session.

Several Publick Clayms from the Countys of *King William York King and Queen Gloucester Middlesex Norfolk Isle of Wight Henrico Stafford Essex Prince George and New Kent* were presented to the House and Read and Referr'd to the Consideration of y<sup>e</sup> Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

Several Propositions and Grievances from the Countys of *Nansemond and Richmond* were Read and Referred to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon.

A Petition of the *Nottoway* Indians was presented to the House and Read Praying a Grant of their former Rights and Priviledges and to be admitted to Live on and hold their Lands according to Law.

*Ordered* That the Said Petition be Referr'd to the Consideration of the Committee for Propositions and Grievances to Report their Opinion thereon to the House.

Some Propositions and Grievances from the County of *New Kent* Signed by Several of the Inhabitants of the Said County were presented to the House and not being Certified as the Law Directs. a Complaint was made to the House that the Said Propositions and Grievances were presented to the Court held in that County for Receiving and Certifying Propositions and Grievances and that the Court would not Receive nor Certify the Same. And the House being Informed that Mr *Thornton* Clerk of the Said Court was at the Door, he was called in and Examined touching the matter of the Said Complaint and then he withdrew.

*Ordered* That such of the Justices of the Court of the County of *New Kent* (to wit) Mr *George Keeling* Mr *Richard Littlepage* Mr *Thomas Butts* and Mr *Alexander Walker* who Refused to Receive and Certify the Said Propositions and Grievances be Sent for in Custody of the Messenger of this House and that Mr *Speaker* issue his Warrant accordingly

The Several Propositions and Grievances from the County of *New Kent* were Read and Referrd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon.

Several Publick Claims from the County of *Richmond* were presented to the House and the Same not being proved and Certified The House was Informed by Some of their Members that the Justices of the Said County neglected to meet and hold a Court for proof of Publick Claims as by Law they ought. Whereupon a Motion was made,  
and

and the Queſtion put: That the Juſtices of the County of *Richmond* be proſecuted by y<sup>e</sup> Attorney General for that neglect.

*Reſolved* in the Affirmative

*Ordered* That the Claims from the County of *Richmond* be Referred to the Conſideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the Houſe

A Propoſition from the County of *New Kent* was Read in w<sup>ch</sup> it is propoſed that the Charges of this Aſſembly be Leſſened and that the Countys between *York* and *James* River be laid out Square

*Ordered* That the Said Propoſition be Rejected.

And then the Houſe Adjourned till to morrow morning Ten a Clock

### *Friday Auguſt the 5<sup>th</sup> 1715*

**S**EVERAL Publick Claims from the Countys of *Charles City* *Lancaster* *King* and *Queen* *Weſtmoreland* and *Warwick* were preſented to the Houſe and Referr'd to the Conſideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the Houſe

A Petition of *James Adams* Referr'd by the Governor & Council to the Conſideration of this Houſe was Read Praying an Allowance for being Interpreter to the *Pamunkey* and *Chicahomeny* Indians

*Ordered* That the Said Petition be Referr'd to the Conſideration of y<sup>e</sup> Committee for Publick Claims to Report their Opinion thereon to the Houſe

A Petition of the freeholders and Inhabitants of the *Manican* Town Referred by the Governor and Council to the Conſideration of this Houſe was Read Praying Liberty to pay their Publick and County Dues in flax Hemp Cotton Wheat or Corn.

*Ordered* That the Said Petition be Referr'd to the Conſideration of y<sup>e</sup> Committee for Propoſitions and Grievances to Report their Opinion thereon

Several Propoſitions and Grievances from the Countys of

<i>King</i> and <i>Queen</i> .....	<i>Warwick</i>
<i>Middlejex</i> .....	<i>King William</i>
<i>Weſtmoreland</i> .....	<i>Henrico</i>
<i>Northumberland</i> .....	<i>Charles City</i>
<i>Lancaster</i> .....	<i>Prince George</i>
<i>Stafford</i> .....	<i>Iſle of Wight</i>
<i>Eſſjex</i> .....	<i>Norfolk</i>
<i>Glouceſter</i> .....	<i>Princeſs Ann</i>
<i>Yorke</i> .....	<i>Accomack</i>
.....	<i>Northampton</i>

Were Read and Referr'd to the Conſideration of the Committee for Propoſitions and Grievances to Report their Opinion thereon

A Petition of Mr *William Harwood* was preſented to the Houſe and Read Complaining of an undue Election and Return for the County of *Warwick*

*Ordered* That the Said Petition be Referr'd to the Conſideration of the Committee of Elections and Priviledges and that they do Examine y<sup>e</sup> Matter thereof and Report the Same with their Opinion thereupon to the Houſe

A Complaint being made to the Houſe that one *John Bolling* of the County of *Henrico* hath Affaulted beaten and very much wounded Mr *Richard Corke* [*Cocke*] a Member of this Houſe in Breach of the Priviledge of this Houſe.

*Ordered* That it be Referred to the Committee of Priviledges and Elections to Examine the Matter of the Said Complaint, and that they do Report the Same with their Opinion thereupon to the Houſe.

And then the Houſe Adjourned till to morrow morning Ten a Clock

*Saturday*

*Saturday August the 6<sup>th</sup> 1715.*

UPON a Motion made.

*Ordered* That Mr *Treasurer* Lay his Accounts of the Revenue before the House on *Monday* next

Mr *Corbin* Reported from the Committee of Elections and Priviledges that the Said Committee had taken into Consideration the Several Returns on the Writts for Electing Burgeffes to Serve in this present General Assembly and therein had come to Several Resolutions which the Committee had directed him to Report to the House which he Read in his Place and then Delivered in at the Table where the Same was again Read

The House proceeded to the immediate Consideration of the Said Report and part thereof was Read and agreed to and is as followeth *Vizt.*

*Resolved* That Mr *Richard Cocke* and Mr *William Randolph* are Duly Returned Burgeffes to Serve in this present General Assembly for the County of *Henrico*.

*Resolved* That Mr *William Armistead* and Mr *Henry Jenkins* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Elizabeth City*.

*Resolved* That Mr *Maximilian Boush* and Mr *Horatio Woodhouse* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Princes Ann*.

*Resolved* That Mr *William Woodbridge* and Mr *Thomas Griffin* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Richmond*.

*Resolved* That Mr *Nicholas Meriwether* and Mr *John Stanop* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *New Kent*.

*Resolved* That Mr *John Lear* and Mr *James Reddicke* are duly Return'd Burgeffes to Serve in this present General Assembly for the County of *Nansemond*

*Resolved* That Mr *Edwin Conway* and Mr *James Ball* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Lancaster*

*Resolved* That Mr *Peter Prejley* and Mr *Christopher Neal* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Northumberland*.

*Resolved* That Mr *Orlando Jones* and Mr *Thomas Johnjon* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *King William*

*Resolved* That Mr *Henry Harrison* and Mr *Samuel Thompson* are duly Return'd Burgeffes to Serve in this present General Assembly for the County of *Surry*

*Resolved* That Mr *Edward Goodrich* and Mr *Robert Hall* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Prince George*.

*Resolved* That Mr *John Harmanjon* and Mr *Charles Floyd* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *Northampton*.

*Resolved* That Mr *James Burwell* and Mr *William Barbar* are duly Return'd Burgeffes to Serve in this present General Assembly for the County of *York*.

*Resolved* That Mr *John Buckner* and Mr *Thomas Buckner* are duly Returned Burgeffes to Serve in this present General Assembly for y<sup>e</sup> County of *Gloucester*.

*Resolved* That Mr *Joseph Harwood* and Mr *Valentine Minge* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Charles City*

*Resolved* That Mr *Arthur Smith* and Mr *Anthony Holliday* are duly Returned Burgeffes to Serve in this present General Assembly for the County of *Isle of Wight*.

*Resolved* That Mr *William Cole* and Mr *Cole Diggs* are duly Return'd Burgeffes to Serve in this present General Assembly for the County of *Warwick*

*Resolved* That Mr *Henry Ashton* and Mr *Daniel McCarty* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *Westmoreland*.

*Resolved* That Mr *John Hawkins* and Mr *William Young* are duly return'd Burgeffes to Serve in this present General Assembly for the County of *Effex*

*Resolved* That Mr *Edward Hamerton* and Mr *William Blackburn* are duly returned Burgeffes to Serve in this present General Assembly for the County of *Middlesex*

*Resolved*

*Resolved* That Mr *William Bird* and Mr *Gawin Corbin* are duly Returned Burgeffes to Serve in this present General Affembly for the County of *King and Queen*

*Resolved* That Mr *George Majon* and Mr *George Anderson* are duly return'd Burgeffes to Serve in this present General Affembly for the County of *Stafford*

*Resolved* That Mr *George Marable* and Mr *William Broadnax* are duly Returned Burgeffes to Serve in this present General Affembly for y<sup>e</sup> County of *James City*.

*Resolved* That Mr *Tully Robinson* and Mr *Richard Drumond* are duly return'd Burgeffes to Serve in this present General Affembly for the County of *Accomack*.

*Resolved* That Mr *John Clayton* is duly return'd a Burgefs to Serve in this present General Affembly for *James Town*.

*Ordered* That the Consideration of that part of the Report of the Said Committee made upon the Return of the Writt for Electing Burgeffes to Serve in this present General Affembly for the County of *Norfolk* be Referr'd til *Wednesday* next.

Mr *Corbin* also Reported from the Committee of Elections and Priviledges the Matter as it appeared to them touching the Election for the College of *William and Mary* and the Refolution of the Committee thereupon, and he Read the Report in his place, and afterwards Delivered the Same in at the Table where the Same was again Read and is as follows *Vizt*.

*Resolved* That the Return of the Writt for Election of a Burgefs for the College of *William and Mary* is made according to Law, But for as much as upon Examining into the former Returns of those Writts We find that the Return of the Writts made the Eighth day of *September 1710* and y<sup>e</sup> Fifteenth day of *September 1712* by *James Blair* President and *Arthur Blackamore* Master of the Gramer School which are in these Words. We humbly Certify that for want of a Sufficient number of Masters and for want of the College being tranferred by the Trustees to the President and Masters that they may Act as a body Pollitick according to the Charter We are of Opinion the Said Election cannot be made at this time And it not appearing to this Committee that the Said College has any better Right to elect a Burgefs to Serve in this present Affembly than formerly, It is therefore the Opinion of this Committee that Mr *Peter Beverley* who is Returned a Burgefs to Serve in this present General Affembly for the Said College hath not any Right to Sit in this Affembly as a Member thereof.

And a Debate arising upon Consideration of the Said Report.

A Motion was made and the Question put. That Mr *Peter Beverley* withdraw during the debate.

*Resolved* in the Affirmative.

And he withdrew accordingly

Then another Motion was made and agreed to by the House *Vizt*.

That the President and Masters of the College of *William and Mary* be heard by their Council touching their Right of Electing a Burgefs for y<sup>e</sup> Said College

*Ordered* That they be heard at the Barr of this House on *Tuesday* next.

*Ordered* That the Said President and Masters have Notice thereof by the Clerk of this House.

And a Motion being made and the Question being put. That Mr *Beverly* be Admitted to his place in the House till the Right of his Election be determined

It passed in the Negative.

Several Publick Claims from the County of *Surry* were presented to the House and Referred to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

Several Propositions and Grievances from the County of *Surry* were Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereupon.

Mr *Corbin* Reported from the Committee of Elections and Priviledges the Matter as it appeared to them touching the Complaint against *John Bolling* of the County of *Henrico* and the Resolutions of the Committee thereupon, which he Read in his place and

and afterwards Delivered in at the Table where the Same were Read and agreed unto by the Houfe and are as follow.

*Resolved* That the Said *John Bolling* is Guilty of a Breach of the Priviledge of this Houfe

*Resolved* That the Said *John Bolling* be Sent for in Cuftody of the Meffinger of this Houfe to anfwer for his Said Offence at the Bar of this Houfe.

*Ordered* That Mr *Speaker* do accordingly iffue his Warrant upon the Said Refolution. Upon a Motion made.

*Ordered* That Mr *ffrancis Epes* and Mr *John Willcox* Mariner be Summoned as Evidences to prove the Said Offence and that Mr *Speaker* do iffue his Warrant accordingly.

And then the Houfe Adjourned till *Monday* morning Ten a Clock.

*Monday August the 8<sup>th</sup> 1715.*

MR *Corbin* from the Committee of Elections and Priviledges Reported That the Said Committee had taken into Confideration the Petition of Mr *William Harwood* Complaining of the undue Election of *William Cole* and *Cole Diggs* Gentlemen Returned Burgeffes to Serve in this Affembly for the County of *Warwick* And that the Said Committee had thereupon come to a Refolution which he Read in his place and then Delivered in at the Table where the Same was again Read and agreed to by the Houfe and is as followeth *Vizt.*

*Resolved* That Mr *William Cole* and Mr *Cole Diggs* are not duly Elected Burgeffes to Serve in this prefent General Affembly

*Ordered* That Mr *Corbin* Mr *Conway* Mr *Griffin* Mr *Johnfon* and Mr *Harrifon* wait upon the Governor and Desire him to iffue out a new writt for y<sup>e</sup> Election of Burgeffes to Serve in this Affembly for the County of *Warwick* in the room of Mr *William Cole* and Mr *Cole Diggs* who are not duly elected Burgeffes for the Said County

Mr *Treasurer* [according to Order] Laid his Accounts of the Revenue before the Houfe.

*Ordered* That the Said Accounts do Lye upon the Table for the perufal of the Members.

The Houfe being Informed that the Sheriff of *Norfolk* attended and desired to be Admitted to Amend his Return on the Writt for the Electing Burgeffes for the Said County.

*Ordered* That the Said Sheriff be brought into the Houfe and that he be Directed to amend his Said Return, who being brought in accordingly Amended his Return and then he withdrew

The Order of the Day being Read for the Houfe to take into Confideration the Governors Speech

The Houfe *Resolved* it Self into a Committee of the whole Houfe to Confider of the Said Speech, and after Some time Spent therein Mr *Speaker* Refumed the Chair and Mr *Clayton* Reported from the Committee that they had come to a Refolution which they had directed him to Report to the Houfe which he Read in his Place and then Delivered in at the Table where the Same was Read and agreed to and is as followeth *Vizt.*

*Resolved* That an Humble Addrefs be prefented to the Governor to return him the thanks of this Houfe for the favour of his Speech and that he would be pleafed to lay before this Houfe a Scheme how the Militia of this Country may be Rendered more useful. And that his Hono<sup>r</sup> would lay before this Houfe what Applications the Commiffioners from *South Carolina* have made to him, and alfo what Treaty he hath entered into with the Said Commiffioners, and what Supplys may be required to Enable him to Comply with that Treaty. And alfo that he would be pleafed to Excuse this Houfe from

from the Consideration of that part of his Speech relating to the Revenue until his Majesty's pleasure be known in Answer to the Address of the Council and Burgesses of the last Assembly to his Majesty on that Subject. And to return the particular thanks of this House to his Honour for Acquainting them with the State of the Matters Recommended in his Speech. And that as Soon as he Shall please to lay before this House the Scheme of the Militia the House will proceed to a due Consideration thereof

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in an Address upon the Said Resolution.

*Andrew Elmes Edward Dyer Thomas Francis and George Rimington* on their Petition are Admitted Doorkeepers to the House.

Several Propositions and Grievances from the Countys of *James City* and *Richmond* were Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon.

A Petition of *Sarah and Elizabeth Jewwick* the Wives of *Robert and John Jewwick* of *South Carolina* Referr'd by the Council to y<sup>e</sup> Consideration of this House, was Read, Setting forth, That by the great Calamities lately and Still Attending *South Carolina* and its Inhabitants the Petitioners and Several other Persons with the Burthenfome and on Such Occasions useles part of their families have in great fear and confusion deserted that Colony Seeking Some place where they may probably hope for protection from the Rage of Hunger and the merciless Indians until it shall please the Almighty to blow over the Impending Storm And that in the Distresses the Petitioners with thirty one Negros [most of them Children] in their two families did lately Arrive at *Hampton* in this Colony where they were Informed that a Duty of ffeve pounds and Six pence is to be paid for every Negro Imported here, But in Regard the Petitioners have not either of them any Intention to Settle in this Colony or to Dispose by Sale any of the Said Negros here but to return with their families to *South Carolina* So Soon as it can be thought Safe and Convenient. And praying that the Receiver of the Said Dutys may be Ordered not to Demand from either of them any Duty for the Importation of any the Said Thirty one Slaves until Such time as it Shall appear that the Petitioner or one of them do Design to Continue and Settle in this Colony or by Sale to Dispose of any the Said Slaves.

*Resolved* and accordingly *Ordered*

That no Duty be Demanded from either of the Petitioners for the Importation of any the Said Thirty one Negroes or Slaves until Such time as it shall appear that the Petitioners or one of them do Design to Continue and Settle in this Colony or by Sale to Dispose of any the Said Slaves.

And then the House Adjourned till to morrow morning Ten a Clock.

*Tuesday August the 9<sup>th</sup> 1715*

**A** PROPOSITION and Grievance from the County of *Charles City* was Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon.

A Complaint being made to the House that Some of the Justices of *Charles City* County Court at a Court held in that County for Receiving and Certifying Propositions and Grievances Refused to Receive and cause to be Certified the Propositions and Grievances of Some of the Inhabitants of the Said County.

*Ordered* That Such of the Justices of the Court of the County of *Charles City* (to witt) *Mr Drury Stith Mr Lewellin Epes* and *Mr James Manders* who Refused to Receive and cause to be Certified the Said Propositions and Grievances be Sent for in Custody of the Messinger of this House. And that *Mr Speaker* issue his Warrant accordingly.

A Petition of the Justices of the Peace for *James City* County Referr'd by the Council to the Consideration of this House was Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereon.

Mr *Clayton* Reported from the Committee who were appointed to Draw up an Address to be presented to the Governor That they had drawn up an Address accordingly which they had directed him to Report to the House, and he Read the Same in his Place and Afterwards delivered it in at the Table where the Same was Read and agreed unto by the House.

*Resolved* That the Said Address be presented to the Governor by the whole House.

*Ordered* That the Committee that prepared the Address do Humbly know the Governors Pleasure when he will be Attended by this House.

Mr *Clayton* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Some of the Matters to them Referr'd and had agreed in a Report thereupon which he Read in his Place and then Delivered in at the Table where the Same being again Read. The House proceeded to the immediate Consideration of the Report.

And upon Consideration of the Report of the Said Committee made upon Inspecting the Journal of the last Session of Assembly.

The House agreed to the Report of the Committee *Vizt.*

That there is nothing therein necessary to be taken in to the Consideration of this Session.

And upon Consideration of the Report of the Said Committee made upon the Petition of certain *Nottoway* Indians Praying to be Relieved as is Set forth in their Petition And the Said Committee having likewise Reported that it appears to them that their present Condition is very deplorable.

The House agreed to the Report of the Committee *Vizt.*

*Resolved* That the Said Petition be Referr'd to the Honourable the Lieu<sup>t</sup>. Governor And that he would be pleased to give them Relief therein.

*Ordered* That Mr *Randolph* Mr *Harriſon* Mr *Harwood* Mr *Minge* and Mr *Hall* Do wait upon the Governor with the Said Petition and Acquaint him with the Resolve of this House thereupon

*Ordered* That Mr *Goodrich* Mr *Lear* Mr *Griffin* Mr *Burwell* and Mr *Ball* do carry the Resolve of this House of yesterday made upon the Petition of *Sarah* and *Elizabeth ffenwick* to the Council and Desire their Concurrence thereunto.

A Petition of *Edward Ripping* was presented to the House and Read Praying that he may have Levyed for him four hundred and Eighty pounds of tobacco Allowed him in the last Book of Claims but omitted to be Levyed

*Ordered* That the Consideration of the Said Petition be Referr'd to the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House

Several Publick Claims from the County of *James City* were presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

A Petition of *Brian Penne* was presented to the House and Read touching Double Certificates issued for taking up his Runaway Negros.

*Ordered* That the Said Petition be Rejected.

A Motion being made for a further day for the President and Masters of the College of *William* and *Mary* to be heard by their Council at the Barr of this House touching their Right of Electing a Burgess to Serve in this Assembly

*Ordered* That they be heard by their Council at the Bar of the House on *Thursday* next.

The House being Informed that the Messinger had Pursuant to Mr *Speakers* Warrant taken into his Custody *Richard Littlepage* and *Alexander Walker* two of the Justices of *New Kent* County Court for Refusing to Receive and Certify the Propositions and Grievances of the People and Inhabitants of the Said County.

They were called to the Barr of the House and Examined touching that Matter.

And then they withdrew.



And a Motion being made And the Queſtion being put

That the Said *Richard Littlepage* and *Alexander Walker* make an Humble Acknowledgment of their Error [at the Barr of this Houſe] in Refuſing to Receive and cauſing to be Certified the Propoſitions and Grievances of the People and Inhabitants of *New Kent County* as the Law directs. And then Receive a Repremand from Mr *Speaker*

It was Reſolved in the Affirmative

Then they were again called to the Bar and acquainted with y<sup>e</sup> Reſolve of the Houſe.

Mr *Walker* accordingly made an Humble Acknowledgment of his Error and Received a Repremand from Mr *Speaker* And then withdrew.

*Ordered* That the Said *Alexander Walker* be Diſcharged out of Cuſtody paying fees.

And Mr *Littlepage* at the Bar refuſing to make Such Acknowledgment.

*Ordered* That he be Continued in Cuſtody of the Meſſinger.

And then the Houſe Adjourned till to morrow morning Ten a Clock

To the Hon<sup>ble</sup> Alaxander Spotſwood his Maj<sup>ty</sup> L<sup>y</sup> Governor of Virginia

*The Humble Adreſs of the Houſe of Burgeſſes.*

*May it Pleaſe you Sir.*

We think our Selves Obligated to return your Honour the thanks of this Houſe for the favor of your Speech in which you are pleaſed to expreſs So great care and concern for the Safety of this Colony and do Affure your Honour We are heartily deſireous to Joyn our Endeavours in giving the beſt Advice and Aſſiſtance We can for the better Security and Defence of our Country.

It would be very agreeable to this Houſe to have the Militia of this Colony under a better Regulation, and We ſhall Eſteem it a particular favour if your Honour will be pleaſed to Propoſe a Method by which it may be Rendred more uſeful.

We are Deeply touched with a Sence of the Miſerys with which our fellow Subjects of *South Carolina* are oppreſſed and are willing to Contribute towards the Relief of that Province So far as the Circumſtances of our Country under its preſent Miſfortunes can admitt. And that the Succour We ſhall Afford may be given in the moſt acceptable manner, We entreat your Honour to Acquaint this Houſe what Application the Commiſſioners from *South Carolina* have made, what Treaty your Honour did enter into on that Occaſion, And what Supplys may be required to enable your Honour to perform the Same.

We cannot but think it a great Miſfortune to this Colony that the fund given for the Support of this Government Should prove Deficient at a time when there are ſo preſſing Occaſions for money and y<sup>e</sup> People So unable to Afford any Supplys. And We Humbly hope by your Honours favourable Representation of the Adreſſs from the Council and Burgeſſes of the laſt Aſſembly To our Sovereign Lord the King his Majeſty will be graciouſly pleaſed to Supply the Deficiency of that fund out of his Revenue of Quit Rents.

We do affure your Honour Since you have thought fit to Aſſemble us at this time for our Advice and Aſſiſtance on thoſe Extraordinary Occaſions, We ſhall make it our Endeavours to perform the Duty incumbent on us, without regard to any other End than the Glory of God the Service of our King and the welfare of our Country.

*Wednesday Auguſt 10<sup>th</sup> 1715.*

**M**R *Clayton* Acquainted the Houſe that the Governor had been waited on yeſter day to know his Pleaſure when he would be attended by this Houſe, and that his Honour had been pleaſed to appoint this Morning Ten a Clock in the Council Chamber.

Mr *Randolph* Reported that the Governor had been waited upon with the Petition of the *Nottaway* Indians, and acquainted with the Reſolve of the Houſe upon that Petition. And that his Honour was pleaſed to Say That the Petition was of an Extraordinary nature and that he would ſend his Anſwer to this Houſe in Writing.

Mr *Speaker* Reported that he with the Houfe had this day Attended the Governor and prefented to him their Addrefs To which his Honour was pleafed to give this Anfwer.

*Mr Speaker and Gentlemen of the Houfe of Burgefles*

I fhall lay before you the Several Matters Defired in your Addrefs: but I muft tell you that Since you have Rejected that Grievance of the Government which I called you to Redrefs I have nothing now to Recommend to you more Advantagious to your Country than Difpatch; for I confider that under the prefent Misfortune of Poverty which you tell me of, your Houfe Sitts at nigh fourcore pounds a day charge to this Colony.

A Written Meffage from the Governor by Mr *Robertfon* was Read and is as followeth *Vizt.*

*Mr Speaker and Gentlemen of the Houfe of Burgefles*

In anfwer to a Verbal Meffage, which I laft night Received from you, by one of your Committee Seting forth that your Houfe having had under Confideration a Petition of the *Nattoway* Indians, has now Sent it and Referred it to me, with your defire that I would be pleafed to give Relief therein, I muft Inform you that it is not Solely in me, no more than in your Houfe, to Repeal or Difpence with Laws [which is the plain Purport of their Grievance] Nor am I of my Self to make Void Solemn Treatys when once they have been approved by our Sovereign.

If their Reprefentative, whom it Seems they have in your Houfe, can make appear to me that they have been wronged by anyone in this Government, I fhall take care they be Righted as far as my Authority and the Laws will Allow of. Nor fhall I deny them, upon Account of this Mifbehaviour of theirs in Applying to your Houfe, the Continuance of the Same Protection which they ought ever to have had

Auguft the 10<sup>th</sup> 1715

*A: Spotswood*

*Ordered* That the Said Meffage do Lye upon the Table.

Mr *Clayton* from the Committee of Propositions and Grievances Reported that the Said Committee had taken into Confideration Several of the Matters to them Referr'd and had come to a Refolution thereupon which they had Directed him to Report to the Houfe which he Read in his place and afterwards Delivered in at the Table where y<sup>e</sup> Same being Read. The Houfe proceeded to the immediate Confideration thereof. And the Report was again Read and is as followeth *Vizt*

The Second Propofition from the County of *King* and *Queen* being Read Praying that all Claufes in the Law Entituled *an Act for preventing frauds in Tobacco Payments and for the better improving the Staple of tobacco* [except what Relates to the Publick Credit] be Repealed Or otherwife that it may be Amended according to the Said Propofition.

The Grievance from the County of *Richmond* being Read Praying the late tobacco Law may be Repealed or Amended according to their Propofition

The Grievance from the County of *Nanfemond* being Read Praying that Crop Tobacco may be Shiped as ufual.

That part of the Grievance from the County of *New Kent* Dated *July* the 23<sup>d</sup> 1715 being Read Praying that Trade and freight Tobacco may be Exempted out of the late tobacco Law.

The other Grievance from the County of *New Kent* being Read Praying that Trade and Freight Tobacco may be exempted out of the late Tobacco Law.

That part of the Grievance from the County of *Surry* being Read Praying that the Law Entituled *an Act for preventing frauds in Tobacco payments &c* may be Repealed.

The other Grievance from the County of *Surry* being Read Praying that the Law Entituled *an Act for preventing frauds in tobacco payments &c* may be Repealed

That part of the Grievance from the County of *Prince George* being Read Praying that the Law Entituled *an Act for preventing frauds in Tobacco payments &c* may be Repealed.

That part of the Grievance from the County of *James City* being Read Praying to be Relieved againft the Law Entituled *an Act for preventing frauds in Tobacco payments &c*  
That

That part of the Grievance from the County of *Henrico* being Read Praying the late Law Entituled *an Act for preventing frauds in Tobacco payments &c* may be Repealed.

That part of the Grievance from the County of *King William* being Read Praying that all Clauses in the Law Entituled *an Act for preventing frauds in tobacco payments &c* may be Repeald'.

That part of the Grievance from the County of *Gloucester* Complaining of the hardships in the aforefaid Law being Read.

The Grievance from the County of *Effex* being Read Praying the aforefaid Law may be Repealed.

The Grievance from the County of *Stafford* being Read Praying that the Law Entituled *an Act for preventing frauds in tobacco payments &c* may be Repealed

The Grievance from the County of *Lancaster* being Read Praying that the afore<sup>d</sup> Law may be Repealed.

The Grievance from the County of *Northumberland* being Read Praying the aforefaid Law may be Repealed or otherwise that this Affembly would take Such Measures therein as to them Shall Seem meet.

The Grievance from the County of *Westmoreland* being Read Praying the aforefaid Law may be Repealed.

That part of the Grievance and Proposition from the County of *Middlesex* being Read Praying that Several Amendments to the afore<sup>d</sup> Law may be made if it Continues and that another Store house may be appointed &c

That part of the Grievance from the County of *Warwick* being Read Complaining of great hardships imposed on them by the aforefaid Law.

That part of the Grievance from the County of *Isle of Wight* being Read Praying that the aforefaid Law may be Repealed.

That part of the Grievance from the County of *Princes Ann* being Read Praying that the aforefaid Law may be Repealed and another made to Redress their Grievance.

That part of the Grievance from the County of *Norfolk* being Read Praying Amendments may be made in the aforefaid Law according to their Proposition.

That part of the Grievance from the County of *Accomack* being Read Complaining of great hardships imposed on them by the aforefaid Law and praying to be Redressed.

That part of the Grievance from the County of *Northampton* being Read Praying the aforefaid Law may be Repealed or Amended as Shall be agreed on.

The Grievance from the County of *Charles City* being Read relating to the aforefaid Law Proposing that all Clauses of the Said Law [except what relates to the Publick Levys] may be Repealed and Some Amendments to be made according to their Proposition.

The House with an Amendment agreed to the Report of the Committee *Vizt.*

*Resolved* That the Same ought to be Redressed and that it may be properly done by a Bill to be brought in to Repeal the Act Entituled *an Act for Preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco.* And also to make Publick Tobacco payments good and convenient.

*Ordered* That a Bill be brought in upon the Said Resolution.

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Bill.

And then the House Adjourned till to Morrow Morning Ten a Clock.

*Thursday August the 11<sup>th</sup> 1715.*

**A** PROPOSITION from Several of the Inhabitants of this Colony was Read and Referr'd to the Consideration of the Committee of Propositions and Grievances to Report their Opinion thereupon.

A Claim of *John Broadnax* was presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

A Written Message from the Governor by Mr *Robertson* in Relation to the Applications made from *South Carolina*, together with Letters from the Governor and Council of that Province, And the Articles Stipulated between this Government and that of *South Carolina*, and he presented the Same to the House, w<sup>ch</sup> were Read.

The Written Message from the Governor is as followeth *Vizt.*

*M<sup>r</sup> Speaker and Gentlemen of the House of Burgeffes*

In Answer to that part of your Address which relates to the Applications made from *South Carolina*, and the Measures taken thereupon.

I send you the Letter from the Governor and Council of that Province Sent by their Commissioners with the Treaty Concluded for their Assistance. The number of men which by the Advice of y<sup>e</sup> Council was Judged fit to be furnished from hence is Three hundred, of which there are One hundred and fifty already dispatched, I cannot lay before you an exact Computation of the charge, because the Expence of Provisions depends upon the time the men last embarked shall be in their passage, and the facility or difficulty of Lifting and Transporting those that are yet to be Raised, but I Judge that the whole Expence of Lifting, fitting up platforms for the men, Supplying Some of them with Cloathing, Advance money paid for the encouragement of others, Subfisting them till their Embarkation, furnishing Provisions for their passage, and cleaning and fitting their Arms &c may amount to Thirty Shillings a man or thereabouts.

I Judge it would render the Service much more acceptable to our People, if Provision were made for Such of them as Shall happen to loose their Limbs or be otherwise Disabled: And that those who have or Shall Engage, be exempted from payment of Levys, both for this year and Such further time as your House Shall think fit, with what other privileges you Judge proper for their Encouragement: And if these shall not prove effectual for obtaining the number of men Desired, That power be given for impressing.

And as by the Treaty with *Carolina*, you will Observe that a number of Slaves are to be returned hither to be employed for the benefit of the men engaging in this Service, I Recommend to you to provide that Such Slaves or So many of them as Shall not thereafter be Sold in the Country, be Exempted from the payment of the five pounds per head; And that the Vessels, in which they are imported be also exempted from the payment of Port Dutys and other charges.

*August* the 10<sup>th</sup> 1715.

*A: Spotswood*

*Resolved* That this House will take the said Message into Consideration on *Saturday* Morning next.

The Order of the Day being Read for the President and Masters of the College of *William and Mary* to be heard by their Council at the Bar of the House touching their Right of Electing a Burgefs to Serve in this Assembly.

They were accordingly called in and heard upon that Matter.

And then they withdrew.

*Resolved* That this House will on *Saturday* next Resume the Consideration of the Report of the Committee of Elections and Privileges touching the President and Masters of the Said College their Right of Electing a Burgefs to Serve in this Assembly

*Resolved* That this House will then also take into their Consideration the Several Matters and Arguments this day Offered at the Barr of this House in maintainance and Defence of the Said Right.

A Proposition from Several of the Inhabitants of this Colony was presented to the House and Read Proposing that a Law be made to Encourage the Teaching the Slaves within this Dominion to Read the Bible and to bring them up in the Christian Religion.

*Ordered* That the Said Proposition be Rejected.

A Petition of *Richard Buckner* was presented to the House and Read Praying an Allowance for Copys of the Laws and Journals of the last Session of Assembly Delivered to the Governor.

*Ordered* That the Said Petition be Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

The House proceeded to the Consideration of the Governors written Message of Yesterday relating to the *Nottaway* Indians and the Same was Read.

*Resolved* That the Indians mentioned in the Said Message have not any Representative in this House.

And then the House Adjourned till to Morrow Morning Ten a Clock.

*Friday August the 12<sup>th</sup> 1715*

THE House being Informed that the Messinger had pursuant to Mr *Speakers* Warrant taken into his Custody *Drury Stith Lewellin Epes* and *James Manders* Three of the Justices of *Charles City* County Court for Refusing to Receive and Certify the Propositions and Grievances of Some of the Inhabitants of the Said County, and y<sup>e</sup> they attended at the Door.

They were called in and at the Bar of the House Examined touching that Matter. And then they withdrew.

*Ordered* That the Said *Drury Stith Lewellin Epes* and *James Manders* be Discharged out of Custody without paying fees.

A Message from the Council by Mr *Robertson*. That the Council have agreed to the Resolve of this House made upon the Petition of *Sarah* and *Elizabeth ffenwick*.

And he presented to the House a Written Message from the Council, which was Read and is as followeth *Vizt*

*By the Council*

*Mr Speaker and Gentlemen of the House of Burgeffes.*

The Council taking into Consideration that in the present Calamity of the Province of *South Carolina*, Several of the Inhabitants may probably remove their families and Slaves hither; and your House having Judged it reasonable that the Slaves already imported by Mr<sup>s</sup> *Sarah* and *Elizabeth ffenwick* Should be Exempted from the Payment of the Duty of five pounds and Six pence per head, The Council propose that the Same Exemption be extended to all others coming from that Province under the like Circumstances

*August the 12<sup>th</sup> 1715*

The House proceeded to the immediate Consideration of the Said Message and thereupon.

*Resolved* and accordingly *Ordererly* [*Ordered*]

That all Slaves Imported into this Colony from *South Carolina* during the present Calamity of that Province be Exempted from the Payment of the Dutys of five pounds and Six pence per head unless the Said Slaves after their Importation be exposed to Sale or be Continued and Settled in this Government.

*Ordered* That Mr *Jenkins* Mr *Broadnax* Mr *Woodbridge* and Mr *Ball* do carry the Said Resolve to the Council and Desire their Concurrence thereunto.

The House being Informed that Mr *Richard Littlepage* and Mr *Thomas Butts* [who were by virtue of Mr *Speakers* Warrant, upon a Complaint made against them as Justices of *New Kent* County Court, taken into Custody for Refusing to Receive and Certify y<sup>e</sup> Propositions and Grievances of the People and Inhabitants of that County] have made their Escape out of the Custody of the Messinger.

Upon a Motion made.

*Ordered* That the Messinger be called to the Bar.

And he was called to the Bar accordingly and Examined concerning the Escape of Mr *Littlepage* and Mr *Butts*.

And then he withdrew.

And being again called to the Bar and further Examined.

*Resolved* That the Said Messinger is Guilty of a Misdemeanour & Neglect in the Execution of his Office.

*Resolved*

*Resolved* That Mr *Littlepage* and Mr *Butts* for making their Escape out of y<sup>e</sup> Custody of the Meffinger of this Houfe are Guilty of a high Misdemeanour and Contempt of the Authority of this Houfe.

*Ordered* That Mr *Speaker* iffue his Warrant to Purfue and Retake the Said *Richard Littlepage* and *Thomas Butts* and them to bring before this Houfe as well to Anfwer their Misdemeanour and Contempt as the Complaint made againft them for Refufing to Receive and Certify the Propofitions and Grievances of the People and Inhabitants of the County of *New Kent*.

A Meffage from the Governor by Mr *Robertfon*.

Mr *Speaker*

I am Commanded by the Governor to Deliver to this Houfe a Written Meffage from his Honour, with Some Propofals of a new Regulation of the Militia. And he prefented the Same to the Houfe.

The Said Meffage and Propofals were Read. and the Meffage is as followeth *Vizt.* Mr *Speaker* and *Gentlemen of the Houfe of Burgefles*

According to your Defire in your Addrefs, I now lay before you Some Propofals for making your Militia more ufeful, in which I have fet forth Some of the Inconveniencys under which the People Labour, by the prefent Conftitution; that I may Show you, I am not for abrogating old Laws without giving my Reafons, I fhall leave to your Judgment to make Such Additions as you find neceffary when thefe heads come to be framed into a Bill; and if I find any thing further wanting, it may be properly Supplied when the Bill comes before the Council

*August* the 12<sup>th</sup> 1715.

*A: Spotfwood*

*Ordered* That the Said Meffage and Propofals Do Lye upon the Table.

And then the Houfe Adjourned till to morrow morning Ten a Clock

### *Saturday August the 13<sup>th</sup> 1715*

A COMMISSION from the Governor to Mr *James Shields* to be Meffinger to the Houfe was Read.

Mr *Clayton* from the Committee of Propofitions and Grievances Reported that the Said Committee had taken into Confideration Several of the Matters to them Referr'd and had come to Several Refolutions thereupon, which they had Directed him to Report to the Houfe which he Read in his Place and then Delivered in at the Table where the Same being again Read. The Houfe proceeded to the immediate Confideration of the Report.

And upon Confideration of the Report of the Said Committee made upon the Propofition from the County of *King* and *Queen* for Afcertaining Secretarys Sheriffs Clerks and Conftables fees.

The Houfe agreed to the Report of the Committee *Vizt.*

*Resolved* That a Bill be prepared and brought in for that Purpofe.

*Ordered* That Mr *Jenkins* Mr *Goodrich* Mr *Boufh* Mr *Thomas Buckner* Mr *Randolph* and Mr *Jones* Do prepare and bring in the Bill.

And upon Confideration of the Report of the Said Committee made upon the Propofition from the County of *Prince George* That an A&t be made to Difable Naval Officers Agents County Court Clerks and all other perfons whatfoever holding any Office of profit in the Government from Voting in any Affembly in this Colony

The Houfe agreed to the Report of the Committee *Vizt.*

*Resolved* That a Bill for that purpofe be prepared and brought in

*Ordered* That the Committee of Propofitions and Grievances do prepare and bring in the Bill.

And upon Confideration of the Report of the Said Committee made upon the Propofition from the County of *Prince George* for preventing Affemblys being Continued or kept on foott more than Three years.

The

The House agreed to the Report of the Committee *Vizt*

*Resolved* That a Bill be prepared and brought in for that purpose.

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Bill.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* for paying the Burgeffes of this Colony for the future in Money to be Raised by the Imposition Acts the Same appearing to be reasonable.

The House agreed to the Report of the Committee *Vizt*

*Resolved* That the Consideration thereof be Referr'd until the next Session.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Northampton* that they may have Liberty to pay their Publick dues in Pork Beef and other Country Commodities.

The House agreed to the Report of the Committee *Vizt*

*Resolved* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *New Kent* for a greater Allowance for killing Wolves And that an Allowance be made for killing Squirrells and Crows.

The House agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County of *New Kent* about persons harbouring poor and impotent Travellers in their Parish without giving the Churchwardens Notice.

The House agreed to the Report of the Committee *Vizt*

*Resolved* That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Middlesex* for Repealing a Law made for Ringing all Hogs within the Said County.

The House agreed to the Report of the Committee *Vizt*.

*Resolved* That a Bill be prepared and brought in to Repeal the Act Entituled *an Act to prevent Hoggs going at large in the County of Middlesex*.

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Bill.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* that *Virginia* built Veffels Owned by the Inhabitants of this Colony be free from all Dutys.

The House agreed to the Report of the Committee *Vizt*.

*Resolved* That the Laws now in force give Sufficient Encouragement for the Same therefore the Said Proposition be Rejected.

And upon consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* for Repealing an Act Laying an Impofition upon Liquors and Slaves. Or Lessening the Duty upon Slaves.

The House agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* for Repealing the Law for Registering Births and Burials &c.

The House agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Norfolk* for Paying their Publick Dues in Plank Tarr Shingles and other Country Commodities at a Price to be Sett thereon.

The House agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Proposition be Rejected.

And

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Accomack* for Justices of the Peace to have Power of Determining Suits under the Value of 500<sup>li</sup> of tobacco or fifty Shillings.

The House agreed to the Report of the Committee *Vizt.*

*Resolved* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Accomack* for making a Law to Impower the freeholders of the Parish of *Accomack* to choose a Vestry for the Said Parish and that they may have Liberty to Elect a new Vestry once in every Seven years.

After a Debate the Question was put That the Report of the Committee be agreed to. *Resolved* in the Affirmative and thereupon.

*Resolved* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Accomack* The Liberty may be given their Inhabitants to pay their Publick Dues in Pork Beef Wheat and other Country Commodities

The House agreed to the Report of the Committee *Vizt.*

*Resolved* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Ile of Wight* for passing Silver Coin according to the late Queens Proclamation.

The House agreed to the Report of the Committee *Vizt.*

*Resolved* That the Silver Coin is well Settled by Law therefore the Said Proposition is Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Ile of Wight* That Liberty may be given for Paying all Publick Dues in Tarr Corn and other Country Commodities.

The House agreed to the Report of the Committee *Vizt.*

*Resolved* That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Surry* That no Imposition be Laid on any Imported Goods.

The House agreed to the Report of the Committee *Vizt.*

*Resolved* That the Said Proposition be Rejected

The Orders of the Day being Read

The House Resumed the Consideration of the Report of the Committee of Elections and Privileges touching the President and Masters of the College of *William and Mary* their Right of Electing a Burgess to Serve in this Assembly

After a Debate and Some time Spent therein. The Question was put That the Report of the Committee be agreed to.

It was Resolved in the Affirmative. And thereupon.

*Resolved* That Mr *Peter Beverley* who is Returned a Burgess to Serve in this present General Assembly for the Said College hath not any Right to Sit in this Assembly as a Member thereof

*Ordered* That Mr *Marable* be Chairman of the Committee for Publick Claims in the Room of the Said Mr *Beverly*.

*Ordered* That Mr *Minge* be Added to the Said Committee.

The House proceeded to the Consideration of the Governors written Message of the 11<sup>th</sup> Instant relating to the Applications made from *South Carolina*, and the Measures taken thereupon. The Message was Read, with the Treaty Concluded for the Assistance of that Province.

And a Debate arising thereupon, and after Some time Spent therein.

A Motion was made, That the Debate be Adjourned

*Resolved* That the Debate be Adjourned till *Monday* next

*Ordered* That it be an Instruction to the Committee that is appointed to prepare and bring in a Bill to Repeal the Act Entituled *an Act for preventing frauds in Tobacco Payments*



*Payments and for the better improving the Staple of Tobacco* and also to make Publick Tobacco Payments good and convenient. That a Clause be Added in the Said Bill for Repealing all Laws and Clauses of Laws relating to the Said Act.

And then the House adjourned till *Monday* morning Ten a Clock.

*Monday August the 15<sup>th</sup> 1715*

THE Warrant issued for the Purfuing and Retaking Mr *Richard Littlepage* and Mr *Thomas Butts* was presented to the House and the Return thereof was Read in these Words *Vizt*

In pursuance to the above Warrant I went to the House of the aforementioned Mr *Richard Littlepage*, and also Sent for the above named *Thomas Butts*, and required them both personally to give Obedience to the above Warrant by Surrendering themselves into my Custody, but they both Refused, Saying they knew no Authority the House of Burgeffes had to Send for them, nor would obey any of their Warrants, on Account of the above Charge.

*Resolved* That at Humble Address be presented to the Governor that he would be pleased to give Such Orders and Directions as his Honour Shall think proper and necessary for the bringing the Said *Littlepage* and *Butts* before this House to Answer for their Repeated Contempts of the Authority of this House

*Ordered* That the Committee of Elections and Priviledges do prepare and bring in the Address.

A Petition of *Charles Kimball* Referr'd by the Council to the Consideration of this House was Read and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

A Petition of *Miles Cary* was [by Leave of the House] p<sup>r</sup>esented Read and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion thereon to the House.

Mr *Clayton* [according to Order] presented to the House a Bill for Repealing an Act Entituled *an Act for preventing frauds in Tobacco Payments and for the better Improving the Staple of tobacco* And an Act Entituled *an Act to Continue the Act for p<sup>r</sup>eventing fraud in Tobacco Payments and for the better improving the Staple of tobacco* And one Act Entituled *an Act to prevent the Malitious burning or Destroying the Publick Storehoufes of tobacco Agents* and two Clauses in an Act Entituled *an Act for the Relief of Persons who by reason of the Drought of last Summer have made Small quantitys of Corn and tobacco and who for want of Conveniency of Shiping have great quantitys of old tobacco by them and for Punishing Persons who Shall carry any Hoghead of tobacco not Stamped out of this Colony And also to make Publick tobacco good and convenient.* And the Same was Received and Read the first time and Ordered to be Read a Second time.

The House [according to Order] Refumed the Debate upon the Governors written Message of the 11<sup>th</sup> Instant and thereupon

*Resolved* That this House will endeavour to Raife mony Sufficient to Enable the Governor to perform the Treaty he hath Concluded for the Assistance of *South Carolina*

*Ordered* That it be Referr'd to the Committee of Propositions and Grievances to Consider of ways and means for the Raifing Such Mony, and that they Report their proceedings to the House

And a Debate Arising. And the Question being put. That Provision be made for Such men [already Lifted or hereafter to be Lifted in the Service of *South Carolina*] as Shall happen to Loofe their Limbs or be otherwise Disabled in the Said Service.

It passed in the Negative.

*Resolved* That those persons who have or Shall Engage in the Service of *South Carolina*, be Exempted from payment of Levys for this present year.

*Resolved*

*Resolved* That So much as the Levys of Such persons Shall Amount to be Levied on the remaining Tithables of that County and Parish where their Several and respective Lifts of Tithables were given in; And that Such County and Parish upon Application to the next Assembly be Reimbursed the Same out of the Publick Levy.

*Resolved* That Such and So many Slaves as Shall be Imported hither for the benefit of the men Engaging in the Service of *South Carolina* and not thereafter Sold in this Country be Exempted from the payment of the Duty of five pounds P head, And that the Vessels in which they Shall be Imported be also Exempted from the payment of Port Dutys and other Charges.

*Ordered* That a Bill be brought in upon the Said Resolutions.

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Bill.

A Petition of the Justices of the Court of the County of *King William* was [by Leave of the House] presented and Read Praying that this House would Humbly Address his Majesty in behalf of Mr *John Fox* now under Close Confinement for a Debt Due to y<sup>e</sup> Crown for the Customs of Tobacco.

Also a Petition of the Justices of the Court of the County of *New Kent* was presented to the House was Read to the Same purport.

*Ordered* That the Said Petitions be Rejected.

A Petition of *Robert Beverley* was presented to the House and Read Complaining of an undue Election for *James Town* in the County of *James City*.

*Ordered* That the Consideration of the Said Petition be Referr'd to the Committee of Elections and Privileges and that they do Examine the Matter thereof And Report the Same with their Opinion thereon to the House.

And then the House Adjourned till to Morrow Morning Ten a Clock

*Tuesday August the 16<sup>th</sup> 1715.*

A CLAIM of the present Sheriff and a Claim of the late Sheriff of *York* and Several Claims from the County of *Nansemond* were [by Leave] presented to the House and Referr'd to the Consideration of the Committee for Publick Claims to Examine the Matter thereof and Report the Same with their Opinion therein to the House.

Mr *Corbin* Reported from the Committee appointed to prepare and draw up an Address to the Governor that they had prepared an Address accordingly which they had directed him to Report to the House which he Read in his Place and then delivered in at the Table where the Same was again Read and with Some Amendments agreed unto by the House and is as followeth *Vizt.*

*To the Hon<sup>ble</sup>: Alex<sup>r</sup>. Spotswood his Maj<sup>ty</sup>: L<sup>y</sup>. Governor of Virginia.*

*The Humble Address of the House of Burgesj<sup>es</sup>:*

*May it Please your Honour.*

We his Majestys most Dutiful and Loyal Subjects the Burgesjes Assembled Do Humbly beg Leave to Represent and Lay before your Honour That *Richard Littlepage* and *Thomas Butts* Gent were by Warrant from the Speaker of this House of Burgesjes taken into Custody for Misdemeanour by them Committed and So being in Custody in Contempt of the Authority of this House have made their Escape; Whereupon another Warrant being by Order of this House issued to the Messinger to Pursue and Retake them the Said *Richard Littlepage* and *Thomas Butts*, The Said Messinger made Return of the last mentioned Warrant (That he had been with Mr *Richard Littlepage* and Mr *Thomas Butts* and required them both personally to give Obedience to y<sup>e</sup> Said last mentioned Warrant by Surrendering themselves into his Custody, but they both refused Saying they knew no Authority the House of Burgesjes had to Send for them nor would obey any of their Warrants on Account of the above Charge] And the Said Messinger

for

for want of force Sufficient to put the Said Warrant in Execution not being able to perform his Office and Duty therein, We trusting your Honour will Support and Maintain this House in their just Rights and Priviledges, Humbly pray you will be pleased to give Such Orders and Directions for bringing the Said *Richard Littlepage* and *Thomas Butts* to Answer their Repeated Contempts and Misdemeanours before this House As to your Honour will Seem proper

*Ordered* That the Said Addrefs be fairly transcribed and Signed by Mr *Speaker*.

*Ordered* That the Committee that prepared the Addrefs together with the Committee for Publick Claims do present the Same to the Governo<sup>r</sup>!

Mr *Corbin* from the Committee of Elections and Priviledges Reported That the Said Committee had taken into Consideration the Return of the Writt for Election of Burgeffes for the County of *Warwick* and had come to a Resolution thereupon which the Committee had Directed him to Report to the House which he Read in his Place and afterwards Delivered in at the Table where the Same was again Read and agreed to by the House and is as followeth *Vizt*.

*Resolved* That Mr *William Cole* and Mr *Cole Diggs* are duly Returned Burgeffes to Serve in this present General Assembly for the Said County of *Warwick*.

Mr *Corbin* also Reported from the Committee of Elections and Priviledges that the Said Committee had taken into Consideration the Petition of Mr *Robert Beverley* Complaining of the undue Election of *John Clayton Esq<sup>r</sup>* Returned a Burgefs to Serve in this present General Assembly for *James City* And that the Said Committee had come to a Resolution thereupon which he Read in his Place and then delivered in at the Table where the Same was again Read and agreed to by the House and is as followeth *Vizt*.

*Resolved* That *John Clayton Esq<sup>r</sup>* is [according to Law] Duly Elected a Burgefs to Serve in this present General Assembly for *James City*.

*Ordered* That Mr *Armistead* Mr *Bird* Mr *Diggs* Mr *Hall* Mr *Lear* Mr *Anderfson* Mr *Presly* Mr *Minge* Mr *Thomas Buckner* Mr *Marable* Mr *Broadnax* and Mr *Young* do wait upon the Governor and Desire his Honours Assent to the Resolves of this House made upon the Petition of *Sarah* and *Elizabeth ffenwick*.

And then the House Adjourned till to Morrow Morning Ten a Clock

*Wednesday August 17<sup>th</sup> 1715*

**A** BILL for Repealing an Act Entituled *an Act for preventing frauds in Tobacco payments and for the better improving the Staple of tobacco* And an Act Entituled *an Act to Continue the Act for preventing frauds in tobacco payments and for the better improving the Staple of tobacco* And one Act Entituled *an Act to prevent the Malitious burning or destroying the Publick Storehouses of tobacco Agents* And two Clauses in an Act Entituled *an Act for the Relief of Persons who by reason of the Drought of last Summer have made Small quantitys of Corn and tobacco and who for want of Conveniency of Shiping have great quantitys of old tobacco by them And for punishing persons who Shall carry any hoghead of Tobacco not stamped out of this Colony And also to make Publick Tobacco good and convenient* was Read a Second time and Committed to the Committee that prepared it.

Mr *Clayton* Reported from the Committee to whom it was Referred to Consider of ways and means for Raising mony Sufficient to Enable the Governor to perform the Treaty he hath Concluded for y<sup>e</sup> Assistance of *South Carolina*, That the Said Committee had Considered thereof and had come to a Resolution thereupon which they had directed him to Report to the House which he Read in his Place and then Delivered in at the Table where the Same being again Read The House agreed to the Report of the Committee *Vizt*.

*Resolved* That it may be most properly done by a Duty of One Shilling Current mony to be Laid upon every hoghead of Tobacco Exported hence from and after laying the Same until the Fourth of *October* in the year 1716.

*Ordered*

*Ordered* That it be an Instruccion to the Committee to whom the Bill for Repealing the Act Entituled an Act for preventing frauds in tobacco payments and for the better improving the Staple of tobacco And an Act Entituled an Act to Continue the Act for preventing frauds in tobacco payments and for the better improving the Staple of tobacco And one Act Entituled an Act to prevent the Malitious burning or Destroying the Publick Storehouses of tobacco Agents And two Clauses in an Act Entituled an Act for the Relief of persons who by reason of the Drought of last Summer have made Small quantitiys of Corn and Tobacco and who for want of Conveniency of Shiping have great quantitiys of old Tobacco by them and for Punishing Persons who Shall carry any hogshead of tobacco not Stamped out of this Colony And also to make Publick Tobacco good and convenient, is Committed, that they have power to Receive a Clause for Raifing mony Sufficient to Enable the Governor to perform the treaty he hath Concluded for the Affitance of *South Carolina*.

Mr *Corbin* acquainted the House that the Governor had been waited upon with the Address of this House of yesterday relating to the repeated Contempts of *Richard Littlepage* and *Thomas Butts* to which his Honor was pleased to give this Answer.

My concern for the Honour of the House of Burgeffes Shall always be equal to theirs for the Honour of their Country, and the Executive power Shall Vindicate the Representatives of y<sup>e</sup> People Conformable to the Support they agree to afford it.

*Resolved* That the Governor be further Addressed. That he will be pleased to give Such immediate Orders and Directions as his Honour shall Judge most Effectual for the Speedy bringing the Said *Richard Littlepage* and *Thomas Butts* before this House.

*Ordered* Than [That] an Address be brought in upon the Said Resolution and y<sup>t</sup> the Committee of Elections and Priviledges do prepare and bring in the Address

The House proceeded to the Consideration of the Governors written Message of the 12<sup>th</sup> Instant relating to the Militia and the Same was Read together with his Honours Propofals for a new Regulation of the Militia and thereupon.

*Resolved* That there be a new Regulation of the Militia of this Colony.

*Ordered* That a Bill be brought in upon the Said Resolution and that the Committee of Propofitions and Grievances do prepare and bring in the Bill.

*Ordered* That the Said Message and Propofals be referred to the said Committee.

*Ordered* That it be an Instruccion to the Said Committee that they Inspect all the Laws now in force relating to the Militia.

And then the House Adjourned till to morrow morning Ten a Clock.

*Thursday August y<sup>e</sup> 18<sup>th</sup> 1715*

MR *Corbin* Reported from the Committee appointed to draw up an Address [upon the Resolution yesterday] to be presented to the Governor that they had drawn up an Address accordingly w<sup>ch</sup> they had Directed him to report to the House which he Read in his Place and then Delivered in at the Table where the Same was Read and with Some Amendments agreed unto by the House and is as followeth *Vizt*.

*To the Honourable Alex Spotfwood his Maj<sup>ty</sup>s Lieu<sup>t</sup> Governor of Virginia.*

*The Humble Address of the House of Burgeffes*

*May it Please Yo<sup>r</sup> Hono<sup>r</sup>:*

We his Majestys most Dutiful and Loyal Subjects the Burgeffes Affembled being moved with the utmost Concern for the Support of the Rights and Priviledges of that House whereof We are at this time Members Do most Humbly Supplicate your Honour that you will not Refent our Importunity in making this Second Address and Entreating your Honour to Reflect on the Reiterated Contempts and Violation of the Ancient and undeniable Priviledges of our House Committed by *Richard Littlepage* and *Thomas Butts* of *New Kent* County Set forth in our Address to your Honour of the Sixteenth Instant.

'Twas

'Twas your Authority Sir Derived from our Dread Sovereign Lord the King that brought us hither, and your wonted Goodnefs and Juſtice gave us hopes that the Same power that Convened us would Skreen us from the Contumacy not only of thoſe two perſons but alſo from the Calumnies and Reviling Expreſſions of Some other perſons of leſs Account whoſe Infolence We Conceive had birth from the Impunity of thoſe two Gentlemen.

If our Meritt can Plead no Claime to your Honours favour yet We hope that when your Honour takes into your Conſideration how great Encouragement the unpuniſhed Eſcapes and open Contempts of theſe, may afford to other Licentious perſons, you will Concurr with us in our Sentiments that the freedome and Priviledges of this Houſe are in Danger of being utterly Subverted and that the Rights and Priviledges it has heretofore from its Infancy Enjoyed may be defended to Succeeding Affemblys Whom We pray may have no leſs Concern, but far greater Opportunity to promote the Honour of this Country, than We have now under its preſent Prefſures of Poverty.

We truſting your Honour will defend and maintain this Houſe in their Ancient Rights and Priviledges Affured to us by your Honour at the Opening this Seſſion, Humbly entreat your Honour will be pleaſed to give Such immediate Orders and Directions for the Speedy bringing the Said *Richard Littlepage* and *Thomas Butts* before this Houſe to Anſwer their Said Contempts and Miſdemeanours as your Honour Shall Judge moſt effectual for that Purpoſe.

*Ordered* That the Said Addreſs be fairly tranſcribed and Signed by Mr *Speaker*.

*Ordered* That the Committee of Elections and Priviledges the Committee of Claims and Seven Members more [to witt] Mr *Cole* Mr *Hall* Mr *Johnſon* Mr *Ball* Mr *Broadnax* Mr *Lear* and Mr *Woodbridge* do preſent the Same to the Governor.

Mr *Clayton* Reported from the Committee to whom the Bill for Repealing the A<sup>c</sup> Entituled an A<sup>c</sup> for preventing frauds in tobacco payments and for the better improving the Staple of tobacco And an A<sup>c</sup> Entituled an A<sup>c</sup> to Continue the A<sup>c</sup> for preventing frauds in tobacco payments and for the better Improving y<sup>e</sup> Staple of Tobacco And one A<sup>c</sup> Entituled an A<sup>c</sup> to prevent the Malitious burning or Deſtroying the Publick Storehouſes of Tobacco Agents and two Clauſes of an A<sup>c</sup> Entituled an A<sup>c</sup> for the Relief of Perſons who by reaſon of the Drought of laſt Summer have made Small quantitys of Corn and Tobacco and who for want of Conveniency of Shipping have great quantitys of old Tobacco by them and for Punifhing Perſons who ſhall carry any hogſhead of Tobacco not Stamped out of this Colony And alſo to make Publick Tobacco good and convenient was Committed; that they had made Several Amendm<sup>ts</sup> to the Bill and an Amendment to the Title of the Bill which they had Directed him to Report to the Houſe which he Read in his Place and then Delivered in at the Table where the Same were Read and agreed unto by the Houſe, and another Amendment was made by the Houſe to the Bill.

*Ordered* That the Bill with the Amendments be Ingroffed.

Mr *Clayton* alſo Reported from the Committee of Propoſitions and Grievances That the Said Committee had taken into Conſideration a Propoſition from the County of *Prince George* and had come to a Reſolution thereupon which they had directed him to Report to the Houſe which he Read in his Place and afterwards Delivered in at the Table where the Same was again Read.

The Houſe proceeded to the immediate Conſideration of the Said Report.

And upon Conſideration of the Report of the Said Committee made upon the Propoſition from the County of *Prince George* for Separating thoſe parts of the Pariſhes of *Weſtover* and *Waynoak* lying in the Said County by *James River* and Joyning them to the Pariſh of *Martin Brandon* and part of *Briſtol* Pariſh in the Said County and for Dividing and making the Said Pariſhes So Separated and Joyned two Diſtinct Pariſhes.

The Houſe agreed to the Report of the Committee *Vizt*

*Reſolved* That it will be for the conveniency of the People of thoſe parts of the Pariſhes of *Weſtover* and *Waynoake* lying on the South Side of *James River* to be united with the Pariſh of *Martin Brandon* in the Said County of *Prince George* and made one Diſtinct

Distinct Parish, And that those parts of the Said Parishes of *Westover* and *Waynoak* lying on the North Side of *James River* be united and made one other Distinct Parish.

*Ordered* That a Bill be brought in upon the Said Resolution and that *Mr Goodrich* *Mr Hall* *Mr Harwood* and *Mr Minge* do prepare and bring in the Bill.

And then the House Adjourned till to morrow morning Ten a Clock.

*Friday August the 19<sup>th</sup> 1715.*

**M***R Corbin* Acquainted the House that the Governor had been presented with the Address of this House of yesterday, and that his Honour was pleased to Say he would Send his Answer to the Address in Writing.

An Ingrossed Bill to Repeal certain Acts and Clauses of an Act therein mentioned and for making payments of Publick Tobacco good and convenient and for Laying a Duty upon Tobacco was Read the third time and Some Small Amendments were made by the House to the Bill.

*Resolved* That the Bill do pass.

*Ordered* That the Committee of Propositions and Grievances do carry the Bill to the Council and Desire their Concurrence thereunto.

*Mr Goodrich* [according to Order] presented to the House a Bill to Divide those parts of the Parishes of *Westover* and *Waynoake* which Lye on the South Side *James River* from those parts of the Said Parishes which Lye on the North Side the Said River and for Uniting *Westover* and *Waynoak* Parishes on the South Side *James River* to *Martin brandon* Parish in the County of *Prince George* and for making *Charles City* County one entire Parish And y<sup>e</sup> Same was Recieved and Read the first time and Ordered to be Read a Second time.

*Mr Blackburn* moving for Leave to go into the Country on his Extraordinary Occasions Leave is accordingly given him.

A Written Message from the Governor by *Mr Robertson* in Answer to the Address of this House of yesterday.

*Mr Speaker and Gentlemen of the House of Burgeesses*

I am Sorry to find your utmost Concern to be about what you call the Rights and Priviledges of your House, while you Seem to Reserve none for the Distressed Condition of your Neighbours, and testify the greatest Indifference for the Safety and Honour of your Country.

I cannot but think that what I Recommended to you at the Opening of this Session is more material, and of a nature more needing Dispatch than what you on the 16<sup>th</sup> Instant Addressed me for: And if I waited Six days for your Answer, and Still Acquiesce under the prospect of no performance on your parts. Me thinks you Also might have had Patience for Some time longer than two Days, e're you expected I should fully Comply with what you had asked.

I am ready to Assist your House in the Maintainance of its just Rights and Priviledges, but you must Excuse me from Aiding in any of your Invasions upon the Prerogative, nor can I Join to Defend all that you may call your Ancient Priviledges. for then your House might Reassume the power of appointing all the Justices of Peace, as it did in former days. And Such an Authority Vested again in you, would not be more Repugnant to the Constitution of *England* [which these Colonys are to Conform to] than that which you are now pretending to, *Vizt*, That your House shall be the Court of Judicature, where Justices shall be tryed and final Sentence passed upon them, for their Judgment given upon the Bench, even in Matters that do not Concern the Burgeesses Assembly.

You have an Officer authorized to bring before you all Persons whom you want to Examine, and likewise to keep in Custody all those you find Guilty of a breach of your Priviledges. And I have not understood that any one yet has refused to appear and Answer to any Accusation of that kind, or to Submit to the Censures of your House for any

any Offence committed againſt it: even the two Gentlemen you complain of, obediently and reſpectfully Attended purpſuant [purſuant] to your Orders; but if you will Charge them with only Miſdemeanours, which ought not to be in Judgment before you, and they will not Submit to the Sentence you paſs upon them for the Same, I for my part muſt deſire to be Excused from meddling in a Conteſt that I obſerve had been very irregularly begun

And Seeing your proceedings make the Load of Government Sit already heavily Enough upon my Shoulders, I have the more reaſon to decline taking up any other Burthens, in this perillous Juncture of Affairs, than Such as Regard the Preſent Safety of the Country.

Auguſt 19<sup>th</sup> 1715

A: Spotſwood

Ordered That the Said Meſſage Do Lye upon the Table.

And then the Houſe Adjourned till to Morrow morning Ten a Clock

*Saturday Auguſt the 20<sup>th</sup> 1715*

THE Houſe proceeded to the Conſideration of the Governors written Meſſage of yeſterday, And thereupon

*Reſolved* That the Houſe have an undoubted Right of Receiving hearing and Redreſſing the Grievances of the Inhabitants of this Colony when legally Certified, and that *Richard Littlepage* and *Thomas Butts* two of the Juſtices of *New Kent* County Court at a Court held in the Said County for Receiving and Certifying the Propoſitions and Grievances of the People and Inhabitants of the Said County, their Refuſing to Receive and Certify the Propoſitions and Grievances of the People and Inhabitants of the Said County is Arbitrary and illegal and a Subverting of the Rights and Libertys of the People.

*Reſolved* That this Houſe in Sending for *Richard Littlepage* and *Thomas Butts* two of the Juſtices of *New Kent* County Court in Cuſtody of the Meſſenger of this Houſe, for their Refuſing to Receive and Certify the Propoſitions and Grievances of the People and Inhabitants of the Said County Did not intend to Invade and are of Opinion have not Invaded any part of the Royal Prerogative.

*Reſolved* That the Said *Richard Littlepage* and *Thomas Butts* in Diſobeying the Orders of this Houſe, Eſcaping out of the Cuſtody of the Meſſenger, and Contemning the Authority of this Houſe, are Guilty of a great Miſdemeanour and Contempt and ought to be Punished for the Same.

*Reſolved* That the Said *Richard Littlepage* and *Thomas Butts* ought to be Compelled to appear and Anſwer their Said Miſdemeanour and Contempt at the Bar of this Houſe.

*Reſolved* That a Suitable Addreſs to the Governor be drawn up upon the Said Meſſage

*Ordered* That the Committee of Elections and Priviledges together with Mr *Bouſh* Mr *Jones* and Mr *Goodrich* do prepare and bring in the Addreſs

Mr *Clayton* from the Committee of Propoſitions & Grievances Reported that the Said Committee had taken into Conſideration Several of the Matters to them Referr'd and had come to Several Reſolutions thereupon which they had directed him to Report to the Houſe which he Read in his place and afterwards Delivered in at the Table where the ſame being again Read. The Houſe proceeded to the immediate Conſideration of the Said Report.

And upon Conſideration of the Report of the Said Committee made upon the Propoſition from the County of *Princeſs Ann* for paying the Burgeſſes of the reſpective Countys out of the Dutys ariſing from Goods Imported.

The Houſe agreed to the Report of the Committee *Vizt.*

*Reſolved* That the further Conſideration of the Said Propoſition be Referr'd until the next Seſſion.

And

And upon Consideration of the Petition of the Inhabitants of the *Manican* Town Praying that Leave may be given them to pay their Publick and County Dues in flax Hemp and Cotton.

After a Debate the Question was put, That the Report of y<sup>e</sup> Committee be agreed to.  
It passed in the Negative and thereupon.

*Ordered* That the Said Petition be Rejected.

And upon Consideration of the Petition from the Justices of *James City* County Praying that the Capitol Square may be Added to the Said County for a Conveniency of holding their Court therein.

The House agreed to the Report of the Committee *Vizt*,

*Resolved* That the Said Petition be Rejected

And upon Consideration of the Proposition from the County of *James City* Praying that the Court House of the Said County may be Continued in the place it formerly Stood or Settled at Some Convenient place as near as may be to the Centre of y<sup>e</sup> County.

The House agreed to the Report of the Committee with an Amendment, and thereupon.

*Resolved* That *Williamsburgh* the Place where the Court for the Said County is appointed to be held is very inconvenient to the greatest part of the Inhabitants of the Said County, therefore that an Humble Address to the Governor in behalf of y<sup>e</sup> People be prepared and brought in Praying that he would be pleased to give Leave that the Court House for the Said County may be Erected in *James City* or Some other Convenient Place in the Said County.

*Ordered* That Mr *Clayton* Mr *Marable* and Mr *Broadnax* do prepare and bring in the Said Address.

Mr *Clayton* [according to Order] presented to the House a Bill to Repeal an Act Entitled an Act to *prevent Hoggs going at large in the County of Middlesex* and the Same was Received and Read the first time and Ordered to be Read a Second time.

A Bill to Divide those parts of the Parishes of *Westover* and *Waynoak* which Lye on the South Side *James River* from those parts of the Said Parishes which Lye on the North Side the Said River And for uniting *Westover* and *Waynoak* Parishes on the South Side *James River* to *Martin brandon* Parish in y<sup>e</sup> County of *Prince George* and for making *Charles City* County one entire Parish was Read a Second time and Several Amendments were made by the House to the Bill.

*Ordered* That the Bill with the Amendments be Ingrossed.

And then the House Adjourned till *Monday* morning Ten a Clock.

*Monday August the 22<sup>d</sup> 1715.*

A BILL to Repeal an Act Entitled an Act to *prevent Hoggs going at large in the County of Middlesex* was Read a Second time.

*Ordered* That the Bill be Ingrossed.

An Ingrossed Bill to Divide those parts of the Parishes of *Westover* and *Waynoak* which Lye on the South Side *James River* from those parts of the Said Parishes which Lye on the North Side the Said River and for uniting *Westover* and *Waynoak* Parishes on the South Side *James River* to *Martin brandon* Parish in the County of *Prince George* and for making *Charles City* County one entire Parish was Read the Third time.

*Resolved* That the Bill do Pass

*Ordered* That Mr *Goodrich* Mr *Hall* Mr *Harwood* Mr *Minge* Mr *Cocke* and Mr *Harrison* Do carry the Bill to the Council and desire their Concurrence thereunto.

Mr *Corbin* Reported from the Committee appointed to draw up an Address upon the Governor's written Message of *Friday* last that they had drawn up an Address accordingly



ingly which they had directed him to Report to the House, which he Read in his Place and then Delivered in at the Table where the Same was Read and agreed unto by the House.

*Ordered* That the Said Address be fairly transcribed and Signed by Mr *Speaker*.

*Ordered* That the Committee that prepared the Address together with Mr *Meriwether* Mr *Ashton* Mr *Robinson* Mr *Mason* Mr *Harrison* Mr *Burwell* Mr *Barbar* Mr *Bird* Mr *Neal* Mr *Diggs* Mr *Cocke* Mr *Minge* Mr *Hall* Mr *Lear* Mr *Craftford* Mr *Armistead* Mr *Young* Mr *Ball* and Mr *Anderjon* Do present the Same to the Governor.

A Message from the Council by Mr *Robertson*. That the Council have passed a Bill Entituled *an Additional Act for Remedying certain Inconveniencies in an Act made in the twelfth year of her late Majestys Rign Entituled an Act for preventing frauds in Tobacco payments and for the better Improving the Staple of Tobacco* to which y<sup>e</sup> Council Desire the Concurrence of this House

And then the House Adjourned till to morrow morning Ten a Clock.

To the Hon<sup>ble</sup>: Alexander Spotswood his Maj<sup>ty</sup>: Lieu<sup>t</sup>: Governor of Virg<sup>a</sup>:

*The Humble Address of the House of Burg<sup>s</sup>:*

*Honoured Sir*

We the Burgeffes now Affembled are heartily Sorry that your Honour is not better Apprised of our Concern for the Distress of our Neighbours And that you Should have any Apprehension of an Indifference in us for the Safety of our Country after We have given So full Assurances of our unfeigned zeal for its Preservation.

In our Address to your Honour of the Ninth Instant We Declared our Intentions of giving all the Supplies to the Support of *South Carolina* that the State of our Country would afford and therein Signified that We Should not Act from any other Motive or Principles than a zeal for the Glory of God, the Service of our King and the welfare of our Country.

And We cannot beleive that your Honour is unacquainted with our Resolutions and Endeavours to bring our promises into real performances; But if the Low Condition of our Country which is reduced to the last degree of poverty by y<sup>e</sup> many Engagements it lately Lay under, And the General Grievance of those people whom We Represent claimed any part of our Consideration We hope Your Honour will Excuse our not answering what you were pleased to Recommend to us in reference to *South Carolina* till We had Considered how to fall upon Such Methods as Should be most agreeable to Redress them and least Burthenfome to our Selves.

To manifest our Commiseration towards those People We have passed a Bill for Raising what mony your Honour Proposed would be needful for the Relief of that Province, and to Evince your Honour that we have no other means to Redress them, than by easing our own People of those Burthens which they Complain Lye So uneasy on them and which was Represented to us as the General Grievance of this Country, We have made Provision for both in one Bill without which we are not of ability to afford any Such Supplies as are required.

If We deemed our Selves under an Obligation to Expedite our Second Address to your Honour for your Assistance in Defence of those Rights and Priviledges which our Ancestors for a long and uninterrupted Series of time Enjoyed under the Administration of all your Predecessors and which We believed were infringed not only by Mr *Littlepage* and Mr *Butts* but also by others encouraged from their unjustifiable Contempts We hope the Resolutions of our House may entitle us to your favourable Construction upon our Proceedings and Plead for our Impatience.

We assure your Honour that no Desires of invading upon the Royal Prerogative Shall have the least Entertainment in our Breasts; Neither do We pretend to Claim any Priviledge of Constituting the Justices of the Peace, but Suffer us Sir to Say that when Justices in Cases where they are not Judicial but Ministerial only will Assume a Jurisdiction and by their Judgment Debarre the People and their Representatives of the Rightful ways and means prescribed by Law for Redressing their Grievances by

Excluding

Excluding them from a true Representation thereof. We believe that Such Matters do concern the Burgeffes in Affembly and We rather incline to that Opinion becaufe the Law has not made any other Provision in that Cafe

Surely the Cafe of thofe two Gentlemen has been Represented to your Honour in more favourable Colors than ever it appeared to us We affure you Sir that one of them never appeared before our Houfe and he that did by his behaviour Shewed So much Difrefpect that every Word & Action carryed with it an Air of Scorn and Contempt.

Our refpect for the Authority Vested in your Honour Excites us to Exert our utmoft Efforts to amove whatfoever may obftruft the facility of your Honours Government And We Shall always Shew a Dutiful regard to your Honours Commands with a Steady Refolution to Act nothing that Shall tend to the prefent or future Difadvantage of our Country.

Suffer us yet [without incurring your Honours Difpleafure] to Say that thofe beginnings if We have not your Honours Affiftance will be So improved that whatever is Refolved in our Houfe contrary to the Humour of any Difaffected Perfons will be turned into Ridicule by them and the Authority of y<sup>e</sup> Houfe of Burgeffes will fall away infenfibly till it becomes nothing but Shadow and name. And as We believe Mr *Littlepage* and Mr *Butts* grounded their Contempts upon Some Affurance of our Difability without Some other Aids So We are fully Convinced that their unpunifhed Mifdemaneours will lay the foundation of Such future Contempts as a Sad experience will Inform us had better have been Suppreffed in their Rife than punifhed in their full growth.

Auguft the 22<sup>th</sup> 1715

*Tuesday Auguft the 23<sup>d</sup> 1715*

**M**R *Corbin* acquainted the Houfe that the Governor had been prefented with the Addrefs of this Houfe of yefterday and that his Honour was pleafed to Say that it was of that Length that it required an Answer in Writing.

An Ingroffed Bill to Repeal an Act Entituled *an Act to prevent Hoggs going at large in the County of Middlefex* was Read the Third time.

*Refolved* That the Bill do pafs.

*Ordered* That Mr *Corbin* Mr *Hammerton* Mr *Bird* Mr *Conway* and Mr *Ball* do carry the Bill to the Council and defire their Concurrence thereunto.

An Ingroffed Bill from the Council Entituled *an Additional Act for Remedying certain Inconveniencys in an Act made in the twelfth year of her late Majeftys Reign Entituled an Act for preventing frauds in Tobacco payments and for the better improving the Staple of tobacco* was Read the firft time. And after a Debate the Queftion was put That the Bill be Read a Second time.

It paffed in the Negative

A Written Meflage from the Council by Mr *Robertfon*

*By the Council*

Mr. *Speaker* and Gentlemen of the Houfe of Burgeffes

The Council having had under Confideration a Refolve of your Houfe of *Saturday* laft in thefe Words *Vizt.*

*“Refolved* That this Houfe have an undoubted Right of Receiving hearing and *“Redreffing* the Grievances of the Inhabitants of this Colony when legally Certified.

By which it would Seem as if the Burgeffes would affume to themfelves alone a power which neither Houfe can challenge Singly, nor both, without the Governor's Concurrence. The Council therefore hope that as the Burgeffes cannot be ignorant that the power of Redreffing the Grievances of the People is Lodged in the whole General Affembly, and not in any one part thereof, your Houfe will either Recede from or So explain the aforefaid Refolve that the Rights and Priviledges of the Council in Affembly may not be infringed thereby.

It is plain by the very Words of the Law that all Propositions and Grievances ought to be Certifyed by the General Affembly, and it has been the constant Practice heretofore, that Such Grievances as have been So Directed have been first presented to and Considered by the Council and then Referr'd to your Houfe yet it appears that Sundry Propositions and Grievances Directed to the General Affembly, have been this Session Considered in your Houfe without being ever Communicated to the Council as of Right they ought to have been in the first place as they are the upper Houfe of Affembly. The Council therefore expect from the Justice of your Houfe that whatever of that kind may have happen'd through inadvertency Shall not be Drawn into President for the future to the Prejudice of the Rights and Priviledges of the Council

*Ordered* That the Said Message Do Lye upon the Table.

And then the Houfe Adjourned till to morrow morning ten a Clock.

*Wednesday August the 24<sup>th</sup> 1715*

**M**R Clayton [according to Order] presented to the Houfe a Bill for Amending an Act Entituled *an Act for Settling the Militia and the better Regulation thereof and for allowing them Pay*: And the Same was Received and Read the first time and Ordered to be Read a Second time.

Mr Jenkins [according to Order] presented to the Houfe a Bill for Regulating and Ascertainig Secretarys County Court Clerks Sheriffs Coroners and Conftables fees, and the Same was Received and Read the first and Ordered to be Read a Second time

A Claim from the County of *Elizabeth City* was [by Leave of the Houfe] presented and Referr'd to the Consideration of the Committee for Publick Claims to Examine y<sup>e</sup> Matter thereof and Report the Same with their Opinion thereon to the Houfe.

A Motion being made and the Question being put. That Leave be given to bring in a Bill to Amend the Act Entituled *an Act for preventing frauds in tobacco payments and for the better improving the Staple of tobacco*.

It passed in the Negative.

The Houfe proceeded to the Consideration of the Councils written Message of yesterday relating to a Refolve of this Houfe of *Saturday* last touching their Right of Redreffing Grievances and thereupon.

*Resolved* That a Suitable Message in Writing be Sent to the Council in Answer to their Said Message of yesterday.

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Message.

And then the Houfe Adjourned till tomorrow morning Ten a Clock.

*Thursday August the 25<sup>th</sup> 1715.*

**A**PETITION of Mr Secretary Cocke Referr'd by the Council to the Consideration of this Houfe was Read Praying to be allowed for twenty eight Writts issued out of his Office for Election of Burgeffes to Serve in this Affembly.

A Petition of Mr *Chichely Corbin Thacker* Referr'd by the Council to the Consideration of this Houfe was Read Praying his usual allowance for Publick Services

*Ordered* That the Said Petitions be Referr'd to the Consideration of the Committee for Publick Claims to Examine y<sup>e</sup> Matter thereof and Report the Same with their Opinion therein to the Houfe.

Mr Clayton Reported from the Committee appointed to prepare a written Message to the Council that they had prepared a Message accordingly which he presented to y<sup>e</sup> Houfe and the Same was Read and agreed unto by the Houfe and is as followeth.

*By the Burgeffes.*

*May it Please your Honors*

The Burgeffes having taken into Consideration y<sup>e</sup> Message Sent by your Honours to this Houfe the 23<sup>d</sup> Instant whereby your Honours Desire this Houfe to Recede from or Explain

Explain a Refolve made on *Saturday* last by which this House hath Asserted their undoubted Right of Receiving hearing and Redressing the Grievances of the Inhabitants of this Colony when legally Certified.

We do assure your Honours this House did not intend by the Said Refolve to Assume to themselves a Right of Redressing Grievances Exclusive of the Council or the Governor and with due Submission to your Honours Do think the Words of the Said Refolve do import no more than that this House hath Right to Receive and hear Grievances legally Certified in Order to prepare Bills for Redressing Such of them as We shall Judge proper for the Concurrence of the Council thereto.

The Law does require all Propositions and Grievances to be Certified to the General Assembly and to be delivered to the Burgeffes by them to be presented accordingly the manner of Directing them is not appointed by Law, and it has been done after divers forms and Some times they have been presented without any Direction and as this House Constitutes that part of the Legislative which Represents the People from whom the Propositions and Grievances have their Rise, We humbly Conceive this House may properly and lawfully Receive and hear in Order to Redress all Propositions and Grievances not particularly Addressed to the Council or the Governor.

Nevertheless this House being Desirous to Establish and maintain a good understanding with your Honours of the Council and to give you the fullest Light We can into y<sup>e</sup> State of the Affairs of this Country are very willing to transmitt to your House all Such Propositions and Grievances as now are or at any time hereafter Shall be Delivered to this House for your perusal when you Shall think fit to require the Same, and Humbly hope your Honours will believe this House will not at any time Attempt to Invade any of the Privileges of the upper House.

August 25<sup>th</sup> 1715

Ordered That the Said Message be fairly transcribed and Signed by the Clerk of this House. And that the Committee of Propositions and Grievances Do carry the Message to the Council.

Mr *Clayton* from the Committee of Propositions and Grievances Reported that the Said Committee had taken into Consideration a Proposition from *James City County* and had come to a Resolution thereupon which they had directed him to Report to the House which he Read in his place and afterwards Delivered in at the table where the Same being again Read. The House proceeded to the immediate Consideraçon of the Said Report.

And upon Consideration of the Report of the Said Committee made upon the Proposition from *James City County* that Goods taken in Execution may be Expofed to Publick Sale [if not Redeemed] or that Provision be made for a more Just Valuation of Such Goods.

After a Debate the Question was put that the Report of the Committee be agreed to.

It passed in the Negative

A Bill for amending an Act Entituled *an Act for Selling the Militia and the better Regulation thereof and for Allowing them pay* was Read a Second time.

After a Debate and Some time Spent therein, the Question was put that the Bill be Committed.

Resolved in the Affirmative

Ordered That the Bill be Committed to the Committee that prepared it.

And then the House Adjourned till to morrow morning Ten a Clock.

*Friday August the 26<sup>th</sup> 1715*

MR *Clayton* Reported from the Committee to whom the Bill for amending an Act Entituled *an Act for Selling the Militia and the better Regulation thereof and for allowing them pay* was Committed that the Said Committee had made Several Amendments to the Bill which they had Directed him to Report to the House which he Read in his Place and then Delivered in at the Table where the Same were Read

And

And a Motion being made and the Question being put. That the House proceed to the necessary business of the House.

It was Resolved in the affirmative.

Then the House proceeded to the Consideration of the Said Amendments and the Same were again Read and Agreed unto by the House, and Several other Amendments were made by the House to the Bill.

*Ordered* That the Bill with the Amendments be Ingrossed.

Mr *Young* moving for Leave to go into the Country on his Extraordinary Occasions Leave is accordingly given him.

Mr *Crafford* moving for Leave to go into the Country on his extraordinary Occasions Leave is accordingly given him and he is Ordered to Attend the Service of the House again on *Wednesday* next.

Mr *Jenkins* moving for Leave to go into the Country on his extraordinary Occasions Leave is accordingly given him and he is Ordered to Attend the Service of the House again on *Tuesday* next.

Mr *Lear* and Mr *Stanop* Severally moving for Leave to go into the Country for Recovery of their health Leave is accordingly given them

Mr *Clayton* Reported from the Committee appointed to draw up an Address to the Governor upon the Resolution of this House of *Saturday* last That they had Drawn up an Address accordingly which they had directed him to Report to the House which he Read in his place and then Delivered in at the Table where the Same was Read and agreed unto by the House.

*Ordered* That the Said Address be fairly transcribed and Signed by Mr *Speaker*

*Ordered* That the Committee that prepared the Address together with the Committee for Publick Claims Do present the Same to the Governor.

A Bill for Regulating and Ascertaining Secretaries County Court Clerks Sheriffs Coroners and Constables fees was Read a Second time and Committed to the Committee that prepared it.

*Ordered* That Mr *Corbin* Mr *Marable* Mr *Cocke* Mr *Broadnax* and Mr *Hall* be Added to the Said Committee.

And then the House Adjourned till to morrow morning Ten a Clock.

To the Hon<sup>ble</sup> Alexander Spotswood his Maj<sup>ty</sup> Lieu<sup>t</sup> Governor of Virg<sup>a</sup>:

*The Humble Address of the House of Burgeffes*

*May it Please Your Hono<sup>r</sup>?*

We his Majestys most Dutiful and Loyal Subjects y<sup>e</sup> Burgeffes now Affsembled Humbly beg Leave to Represent to your Honour that We having Considered the Grievance presented to this House from Several of the Inhabitants of the County of *James City* that by application of ffour of the Justices of the Said County [when the Court consisted of Six] the Court for the Said County is lately removed from *James City* to *Williamsburgh* which last mentioned place being Scituate at almost the extream end of the Said County is very inconvenient to the greatest number of the Inhabitants thereof whose business requires their frequent Attendance at the Said Court more especially to those who Reside on the Western Side of the River *Chiccohomy* and divers of the Said Inhabitants having proposed to this House to Erect a Court House together with all other buildings by Law required to be built as incident thereto at their own proper cost and charge without burthening the People with a Levy for that Occasion: If your Honour will be pleased to permitt the Said Court to be held at Some other place more convenient to the Inhabitants of the Said County than the City of *Williamsburgh*.

We therefore in most humble manner beg Leave to Represent the Case of the Said Inhabitants to your Honour for your favour therein and intreat your Honour that you will be pleased to permit the Said Inhabitants to provide a Court House and Such other necessary Edifices as are by Law required to be Erected at their cost and charge without laying a Levy for the Same either at *James City* where the Court for the Said County

hath

hath been kept time out of mind or Some other place nearer the Center of the Said County And that you will be pleased to Order the Justices of the Peace for the Said County to hold the Court at Such place.

August 26<sup>th</sup> 1715.

*Saturday August 27<sup>th</sup> 1715*

**M**<sup>R</sup> Marable from the Committee for Publick Claims Reported that the Said Committee had taken into Consideration the Several Claims to them Referr'd and therein had agreed upon Several Resolutions which they had entred into a Book called the Book of Reports of the Committee for Publick Claims which he presented to the House and the Same was Received.

Mr Clayton acquainted the House that their Address of yesterday hath been presented to the Governor, and that his Honour was pleased to give this Answer *Vizt.*

I know by what Malignant person that Grievance was drawn up and in what unlawful manner it was got Signed and after five years Residence upon the borders of James City County, I think it hard that I may not be allowed to be as good a Judge as Mr Marable's Rable of a proper Place for the Court house.

To remove a County Court upon the Application of its Justices (as I have done) is expressly according to the Law of this Colony, and I am not inclinable to do extraordinary Acts meerly to gratify the humour of Some persons who make it their greatest Meritt with the people to oppose whatever may be for the interest and Dignity of this his Majestys Government.

A Motion was made that a Resolve be Entred relating to Some of the Matters contained in a Proclamation lately issued by the Governor.

And then another Motion was made, And the Question was put, That any of the Matters in the Said Proclamation mentioned be Entred previous to that Resolve

*Resolved in the Affirmative*

And thereupon the House being acquainted by Some of their Members That by the Said Proclamation it appeared that the Governor had been Informed that the People had been called together in a Riotous manner to Sign Papers as Grievances.

*Resolved* That those Persons who have Informed the Honourable the L<sup>t</sup> Governor that the People have been called together in a Riotous manner to Sign any of the Papers presented to this House as Grievances this Session are evil Disposed persons and Disturbers of and Enemys to the Peace and Tranquility of this Country.

An Ingrossed Bill for amending an Act Entituled *an Act for Settling the Militia and for the better Regulation thereof and for Allowing them Pay* was Read the third time.

And the Question being put that the Bill do pass.

*It passed in the Negative.*

A Written Message from the Governor by Mr Robertfon.

*Mr Speaker and Gentlemen of the House of Burgeffes*

I understand by the Question yesterday in your House, whether the necessary business Should be proceeded on, that you expect an Answer to your Address of the 22<sup>d</sup> Instant, and thereupon I Say that if the full Assurances, the unfeigned zeal, and the real intentions which you now tell me of, have been couched in Such dark terms that my understanding could not find them out, in either your Publick Resolves or Address of the 9<sup>th</sup> Instant yet have you had Sufficient time to explain your true meaning by your proceedings.

The Surest Information I can have of your Resolutions and Endeavours is, from the Bills you Send the Council, but I can therein no more Discover any Measures taken for the Security of your frontiers, than any Supply granted for the Support of your Neighbours, unless you will reckon £450: which you tack'd to a Bill that you were Sensible would never pass the Council or me.

When you Speak of Poverty and Engagements, you argue as if you know the State of your own Country no better than you do that of others: for as I that have had the

Honour

Honour to preſide for Some years paſt over this Government, do poſſitively Deny that any Publick Engagements have drawn any more wealth out of this Colony, than what many a Single perſon in it has on his own Account expended in the time, So I do aſſert, that there is Scarce a Country of its figure in the Chriſtian World, leſs burthened with Publick Taxes.

If you your Selves Sincerely believe that it is reduced to the laſt Degree of Poverty, I wonder the more, that you Should Report Propoſitions for leſſening the charge of Affemblys, That you ſhould expel Gentlemen out of your Houſe for only offering to Serve their Countys upon their own expence, and that while each day of your Siting is So coſtly to your Country, you Should Spend time So fruitleſſly, for now after a Seſſion of twenty five days, three Bills only have come from your Houſe, and even Some of thoſe So framed as if you did not expect they Should paſs into Acts.

I am not Surprized at your laying an extraordinary Streſs upon the Papers of Grievances which have been Delivered to this Affembly, Since I know them to have been originally framed and drawn up by many perſons among you, and perhaps their bearing So near a Relation to your Houſe, may incline you to Judge it a Breach of your Priviledges, That Some Juſtices in the Courts held for Certifying Grievances, have declared them to be falſe and Seditious, and given them Some obſtruction in their Paſſage.

If you look back into the Journals of former Affemblys, you may find that the Peoples Propoſitions & Grievances have frequently failed of the County Courts Atteſtation, yet have they not been thereby Debarred from having them under the Affemblys Conſideration, Since it has been the Praſtice of your Houſe to admit them without that form, and even, all the uncertified Grievances of this Seſſion make in your Journal of the 10<sup>th</sup> Inſtant, as lawful an Appearance as any, at the Introduction of that Bill, which the Council flung out at the firſt Reading: So that the Peoples Rights and Libertys cannot be Subverted [as your Reſolve of the 20<sup>th</sup> inſtant will have it] by Juſtices reſuſing to Receive and Certify their Propoſitions and Grievances: And if in this Caſe you will Reckon them only Miniſterial Officers, and Diveſting them of their Judicial capacity expect they muſt Certify all Remonſtrances whether true or falſe, lawful or Seditious; and in what manner Soever they be preſented, then I cannot See to what end the Laws for preſentation of Grievances have been made, or of what Signification the Juſtices Atteſtations are.

As I have remarked that your Predeceſſors have often in this caſe wanted the Courts Certificates, So I dare Say, you are the firſt Houſe that ever thus proceeded to puniſh the Juſtices for the Same. And if you will Judge otherwiſe of your Rights and Priviledges than your Anceſtors have done, and will aim at greater power than ever the Comons of *England* pretended to, You muſt expect to be baffled, while you have a Governor who is Reſolute in the maintenance of a Conſtitution conformable to that of *England*, Nor is a Set of men who come hither obſtinately bent to do nothing for the Safety and Dignity of his Majeſtys Government, but upon the hardeſt Conditions, likely to work upon him to yeild them up any part of his juſt Authority.

But for Brevitys Sake, to wave Replying to Several of your Arguments and Appollogys, which have little weight in them, and to explain my Self, as clearly as I can upon the Point in Conteſt, I do aſſure the Houſe of Burgeſſes that my Authority is ready to compel to appear before them any perſon whom they have Occaſion to Examine, or whom they aſk to be Delivered up to their Juſtice, for an undoubted breach of their Priviledges: but when they charge men with Arbitrary and illegal Acts and Miſde-meanours, and thereupon paſs Reſolutions, that they ought to be puniſhed & compelled to anſwer at the Barr of their Houſe, I muſt plainly declare that I will not aſſiſt in the bringing any of his Majeſtys Subjects to Plead to a charge of Crimes and Miſdemeanors at the Burgeſſes Bar.

Auguſt 27<sup>th</sup> 1715

A: Spotſwood

Ordered That the Said Meſſage do Lye upon the Table.

And then the Houſe Adjourned till Monday morning Ten a Clock.

*Monday*

*Monday August the 29<sup>th</sup> 1715*

**M**R Clayton [according to Order] presented to the House a Bill for the Encouragement of Such Persons as have gone and shall go Voluntarily into the Service of *South Carolina*.

A Bill for Disabling persons holding certain Places of profit in this Colony from being Members of the House of Burgeffes.

A Bill for the frequent meeting and calling Asssemblies, and y<sup>e</sup> Same were Received and Read the first time and Ordered to be Read a Second time.

Mr *Hall* [on his Motion] hath Leave to go into the Country on Extraordinary Occasions.

The House proceeded to the Consideration of the Book of Reports of the Committee for Publick Claims and the Same was Read and with Some Amendments agreed unto by the House.

Mr *Clayton* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Several of the Matters to them Referr'd and thereupon had come to Several Resolutions which they had directed him to Report to the House which he Read in his Place and afterwards Delivered in at the Table where the Same being again Read the House proceeded to the immediate Consideration of the Said Report.

And upon Consideration of the Report of the Said Committee made upon the Propositions from the Countys of *Gloucester James City and Surry* for Disabling Persons who hold places of profit from being Members of the Assembly.

The House agreed to the Report of the Committee with an Amendment *Vizt.*

*Resolved* That the Same is provided for by a Bill brought in for that purpose.

And upon Consideration of the Report of the Said Committee made upon the Proposition from *James City* County That no Assembly be Continued longer than Three years.

The House agreed to the Report of the Committee with an Amendment *Vizt.*

*Resolved* That the Same is provided for by a Bill brought in for that Purpose.

And upon Consideration of the Report of the Said Committee made upon the Propositions from the Countys of *Charles City and Warwick* for Ascertainning Secretaries Clerks and Sheriffs fees.

The House agreed to the Report of the Committee *Vizt*

*Resolved* That the Same in [is] Answered by a Bill brought in for that purpose.

And upon Consideration of the Report of the Said Committee made upon the Proposition from *Henrico* County for directing that Ministers &c Register births and burials *Ex Officio*.

The House agreed to the Report of the Committee *Vizt*

*Resolved* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County of *Henrico* for giving a Reward for killing Crows & Squirrels. A Proposition of the like nature having been under Consideration of this Committee and Rejected

The House agreed to the Report of the Committee *Vizt.*

*Resolved* That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Said County of *Henrico* That the Rangers under Lieu<sup>t</sup> *Nappier* be directed fully to Comply with their Orders.

The House agreed to the Report of the Committee *Vizt.*

*Resolved* That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Inhabitants of the upper parts of the Said County of *Henrico* That they



they may not be obliged to Travel So great a distance to Mufters as at present they are compelled but that they may be Muftered in their Neighbourhood [Neighbourhood]

The Houfe agreed to the Report of the Committee *Vizt.*

*Refolved* That the Said Proposition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Proposition from *Lancaster* County for Reftraining Sheep from going at large from the Middle of *May* to the laft of *September* yearly

The Houfe agreed to the Report of the Committee *Vizt.*

*Refolved* That the Said Proposition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Proposition from *Gloucefter* County for Tenants paying their Rents in Country Commodities.

The Houfe agreed to the Report of the Committee *Vizt.*

*Refolved* That the Said Proposition be Rejected.

And upon Confideration of the Report of the Said Committee made upon the Proposition from the County of *Charles City* and Some of the Inhabitants on the West Side of *Chiccahominy* River in the County of *James City* for Adding that part of the County of *James City* to the Said County of *Charles City*.

The Houfe agreed to the Report of the Committee *Vizt.*

*Refolved* That the Said Proposition be Rejected.

And upon Confideration of the Report of the Said Committee made upon the Proposition from *Warwick* County for paying their debts in Tobacco and Corn at a Price to be Sett.

The Houfe agreed to the Report of the Committee *Vizt.*

*Refolved* That the Said Proposition be Rejected

And upon Confideration of the Report of the Said Committee made upon the Grievance from the Said County of *Warwick* Complaining of Oppreffions from the Sheriffs

The Houfe agreed to the Report of the Committee *Vizt.*

*Refolved* That the Said Grievance be Rejected

And upon Confideration of the Report of the Said Committee made upon the Propositions and Grievances from the Countys of *Surry Isle* of *Wight Charles City King* and *Queen Norfolk Prince George Nanjemond Henrico* and *Warwick* againft the Trade carryed on with the Indians in the manner prefcribed by the Act Entituled *an Act for the better Regulation of the Indian Trade* and Praying that care be taken that the ffort of *Chriftanna* may not be a Country Charge.

The Houfe agreed to the Report of the Committee *Vizt.*

*Refolved* That a Bill be prepared and brought in to oblige Such perfons as by Vertue of that Law are allowed to Trade with y<sup>e</sup> Indians, to defray the whole charge of the Said Trade and to pay the Interpreters of Such Indians and the charge of fforage of Such Indians and their Interpreters and other incident charges relating to the Said Trade and that they at their proper coft defend the Country againft the Invaſions or Incurſions of all Indians whatſoever.

*Ordered* That the Committee of Propofitions and Grievances do prepare and bring in the Bill.

And upon Confideration of the Report of the Said Committee made upon the Proposition of the Inhabitants of the upper parts of *Henrico* County That the Miniſter of *Henrico* Pariſh may be Directed to Preach to them once in every Month.

The Houfe agreed to the Report of the Committee *Vizt.*

*Refolved* That a Chappel be Erected for the Eaſe of the Said Inhabitants at or near the Stooping Hickory about a Mile below the Lower *Weſtham* in the Said Pariſh of *Henrico* And that the Miniſter be appointed to Preach therein every fourth *Sunday* and that a Bill be prepared and brought in for that purpoſe.

*Ordered* That Mr *Randolph* and Mr *Cocke* do prepare and bring in the Bill

And upon Confideration of the Report of the Said Committee made upon the Proposition from the Countys of *Charles City Norfolk King William Isle* of *Wight* and *Surry*  
That

That the Act Entituled *an Act Declaring what Shall be Accounted a Sufficient Seating Planting Cultivating and Improving of Land already granted or hereafter to be taken up and Patented in Relation to Lands Lapping for want of Payment of Quit Rents for Three years* may be explained or that part thereof Repealed. And the Said Committee having further Reported that they had Read and Considered the Said Act and also the Act Entituled *an Act for Settling the Titles and bounds of Lands and for preventing unlawful Shooting and Ranging thereupon* And that by the Construction of the Said Acts it may be doubtful whether the Lands therein mentioned to Lapse for want of payment of Quit Rents shall be Extended to all Lands heretofore granted or only to such Lands as have been or Shall be granted Since the making the Said Acts.

The House agreed to the Report of the Committee *Vizt.*

*Resolved* That a Bill be prepared and brought in to Explain the Said Acts in Relation to Lands Lapping for want of paym<sup>t</sup> of Quit Rents which have been granted before the making the Said Acts.

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Bill.

Mr *Jones* moving for Leave to be Absent on his Extraordinary Occasions Leave is accordingly given him.

And then the House Adjourned till to morrow morning Ten a Clock.

*Tuesday August the 30<sup>th</sup> 1715*

**A** BILL for the frequent meeting and calling Assemblys was Read a Second time.

*Ordered* That the Bill be Ingrossed.

A Bill for Difabling persons holding certain Places of profit in this Colony from being Members of the House of Burgesses was Read a Second time.

*Ordered* That the Bill be Ingrossed.

A Motion being made and the Question being put. That Leave be given to bring in a Bill for amending the Act Entituled *an Act for preventing frauds in Tobacco payments and for the better improving the Staple of Tobacco*

It passed in the Negative

*Ordered* That the Committee for Publick Claims do inspect and Examine Mr *Treasurers* Accounts and Report their Opinion thereupon to the House.

Mr *Griffin* moving for Leave to be Absent on Extraordinary Occasions Leave is accordingly given him.

Mr *Clayton* from the Committee of Propositions and Grievances Reported That the Said Committee had taken into Consideration Several Matters to them Referr'd and therein had come to Several Resolutions which they had directed him to Report to the House which he Read in his Place and afterwards delivered in at the Table where the Same being again Read. The House proceeded to the immediate Consideration of the Said Report

And upon Consideration of the Report of the Said Committee made upon the Proposition from *King William County* that a Publick Ferry be Setled from Capt *Thomas Clayborns* in the Said County over *Pamunkey River* to Mr<sup>s</sup> *frances Tickles* and *Richard Richardsons* in the County of *New Kent*.

The House agreed to the Report of the Committee with an Amendment and thereupon.

*Resolved* That a Bill be prepared and brought in to Settle a ferry pursuant to the Said Proposition And that the Price for a man and Horse to *Richard Richardsons* be Twelve pence and to Mr<sup>s</sup> *frances Tickles* fifteen pence.

*Ordered* That Mr *Jones* Mr *Johnson* Mr *Corbin* Mr *Bird* and Mr *Boush* do prepare and bring in the Bill.

And

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Middlesex* that Some expedient be taken to prevent the excessive breeding and running at large Such Vast Numbers of wild useles Horfes.

The Houfe agreed to the Report of the Committee *Vizt*

*Resolved* That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from *James City* County that Surveyors fees may be Lessened.

The Houfe agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Grievance from the Said County againft a Trade with the Indians in the manner directed by Law.

The Houfe agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Grievance be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *James City* that County Courts may be Impowered to hear and determine upon Jurys Verdicts [made and returned purfuant to the Law directing the Manner of Proceffioning] in the Same Manner as in Actions of Trefpafs and to award the Cofts to be paid by the Party who Shall be found to give the unjust Vexation.

The Houfe agreed to the Report of the Committee *Vizt*.

*Resolved* That the Same is provided for by Law

And upon Consideration of the Report of the Said Committee made upon the Proposition from the Countys of *James City* and *York* for taking away or moderating the Allowance of Burgeffes.

The Houfe agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Propositions be Referr'd to the Consideration of the next Session.

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *York* againft Striking of fifh in the Salt waters.

The Houfe agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *King* and *Queen* for Repealing the Act Entituled *an Act to prevent Hoggs going at large in the County of Middlesex*.

The Houfe agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Proposition be Rejected

And upon Consideration of the Report of the Said Committee made upon the Proposition from the County of *Richmond* for dividing the Said County by the Run or Swamp called *Charles's Beverdam* and for making the Same two diftinct Countys.

The Houfe agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Proposition be Rejected.

And upon Consideration of the Report of the Said Committee made upon the Proposition from Some Inhabitants of *Virginia* that all great Roads in every County be made on the Ridge which Leads from the Mouth of each of the great Rivers to the Mountains.

The Houfe agreed to the Report of the Committee *Vizt*.

*Resolved* That the Said Proposition be Rejected.

And then the Houfe Adjourned till to morrow morning ten a Clock

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*Wednesday August 31<sup>th</sup> 1715.*

**M**R Clayton [according to Order] prefented to the Houfe a Bill to explain an Act Entituled *an Act Declaring what Shall be Accounted a Sufficient Seating Planting Cultivating and improving of Lands already granted or hereafter to be taken up and Patented*, And the Same was Received and Read the first time and Ordered to be Read a Second time.

An Ingrossed Bill for Difabling persons holding certain Places of profit in this Colony from being Members of the House of Burgeffes was Read the third time

*Resolved* That the Bill do pass.

An Ingrossed Bill for the frequent meeting and calling Assemblys was Read the third time.

*Resolved* That the Bill do pass

*Ordered* That Mr Meriwether Mr Conway Mr Harriſon Mr Bouſh Mr Diggs Mr Hawkins Mr Aſhton Mr Armistead Mr Ball and Mr Neal do carry the Bills to the Council and Desire their Concurrence thereunto.

A Bill for the Encouragement of Such persons as have gone and Shall go Voluntarily into the Service of *South Carolina* was Read a Second time and a Small Amendment was made by the House to the Bill.

*Ordered* That the Bill with the Amendment be Ingrossed

Mr Bouſh [according to Order] presented to the House a Bill for Settling a Publick ferry over *Pamunky* River in the County of *King William* And the Same was Received and Read the first time and Ordered to be Read a Second time.

A Bill to Explain an Act Entituled *an Act Declaring what Shall be Accounted Sufficient Seating Planting Cultivating and improving of Lands already granted or hereafter to be taken up and Patented* was Read a Second time and an Amendment was made by the House to the Bill.

*Ordered* That the Bill with the Amendment be Ingrossed.

And then the House adjourned till to morrow morning ten a Clock

### *Thursday September the 1<sup>st</sup> 1715*

MR Randolph presented to the House [according to Order] a Bill requiring the Vestry of the Parish of *Henrico* to Build a Chappel in the Said Parish and the Same was Received and Read the first time and ordered to be Read a Second time.

Mr Clayton [according to Order] presented to the House a Bill to Oblige the *Virginia Indian Company* to Defray the Charge of their Trade and all other charges arising by means thereof, and the Same was Received and Read the first time And Ordered to be Read a Second time.

An Ingrossed Bill to Explain an Act Entituled *an Act Declaring what Shall be Accounted a Sufficient Seating Planting Cultivating and Improving of Lands already granted or hereafter to be taken up and Patented* was Read the Third time.

*Resolved* Nemine Contradicente.

That the Bill do pass.

An Ingrossed Bill for the Encouragement of Such persons as have gone and Shall go Voluntarily into the Service of *South Carolina* was Read the Third time

*Resolved* That the Bill do pass

*Ordered* That the Committee of Propositions and Grievances do carry the Bills to the Council and Desire their Concurrence thereunto

The House proceeded to take into Consideration the Allowances to be made to the Several Officers of the Assembly and the Same being agreed on by the House were added to the Book of Reports of the Committee for Publick Claims.

*Ordered* That the Committee for Publick Claims Do carry the Book to the Council and Desire their Concurrence thereunto

A Bill for Settling a Publick ferry over *Pamunkey* River in the County of *King William* was Read a Second time and Some Amendments were made by the House to the Bill.

*Ordered* That the Bill with the Amendments be Ingrossed.

A Bill requiring the Vestry of the Parish of *Henrico* to build a Chappel in the Said Parish was Read a Second time and a Small Amendment was made by the House to the Bill.

*Ordered* That the Bill with the Amendment be Ingrossed

A Message from the Council by Mr *Robertson*

That the Council have proposed Several Amendments to the Bill Entituled *an Act for the frequent meeting and calling Affemblys* to which the Council Desire the Concurrence of this House.

The House proceeded to the immediate Consideration of the Said Amendments and the Same were Read and Some of the Amendments were agreed unto and Some of them Disagreed unto by the House.

*Ordered* That the Committee of Propositions and Grievances do Acquaint the Council that this House have agreed to part of the Amendments by them proposed to the Bill Entituled *an Act for the frequent meeting and calling Affemblys* and to part have disagreed and desire their Honours to agree to the Bill with Such of their Amendments as are Agreed unto by this House.

The House proceeded to the Consideration of the Governors written Message of the 27<sup>th</sup> of the last Month and the Same was Read

*Resolved* That a Suitable Answer be prepared to the Said Message

*Ordered* That the Committee of Propositions and Grievances do prepare and bring in the Answer.

*Ordered* That the Said Message be Referr'd to the Said Committee

And then the House Adjourned till to morrow morning ten a Clock.

### *Friday September the 2<sup>d</sup> 1715*

**M**R Clayton from the Committee appointed to prepare and bring in an Answer to the Governors written Message of the 27<sup>th</sup> of the last month Reported That the Said Committee had in Answer to the Said Message drawn up Several Resolutions which they had Directed him to Report to the House which he Read in his place and afterwards Delivered in at the Table where the Same were twice Read and with Some Small Amendments agreed unto by the House and are as follow Vizt.

*Resolved* That the Honourable the Lieu<sup>t</sup> Governor by his Agreement with the House of Burgeffes at their Session in 1714. hath engaged to Defend the frontiers of this Colony until *December* 1716 for the Several Sums of mony and tobacco then given him for that purpose.

*Resolved* That this House by giving ffour hundred and fifty pounds for the Assistance of the People of *South Carolina* in the manner that mony was given, had a real Intention to Relieve those People, and did expect the Inhabitants of *Virginia* might be Relieved from the hardships of the Tobacco Law by the Same Act.

*Resolved* That besides the Common taxes for Levys, the Duty of two Shillings p hoghead upon tobacco, and the Duty upon Liquors and Slaves, this Country is Burthened with an Extraordinary Imposition upon Tobacco for the use of the Tobacco Agents which is more Grievous than any Publick Tax

*Resolved* That the Resolution made by the House upon the Complaint made concerning the first Election of Burgeffes to Serve for the County of *Warwick* was according to the Law of this Colony.

*Resolved* That what delays has happened in our proceedings has been Occasioned by the Lieu<sup>t</sup> Governors Denying to Assist this House in their Just Rights and Priviledges

*Resolved* That the true and only Motive to this House for Ascertaining and Insisting on their Rights and Priviledges against Some Justices was to Support and Maintain the Rights and Libertys of the People against Such as endeavoured to Deprive them of the benefit given by Law to Represent their Grievances to the General Assembly.

*Resolved* That the Papers of Grievances refused to be Certified by the Justices of *New Kent* County Court did not contain in them any thing false or Seditious. And that

that the Said Justices being the first that have refused to Certify the Grievances of the People to the General Assembly ought to be the first Punished at the Barr of the House of Burgesses for an Offence of that Nature

*Resolved* That this House of Burgesses ought not to be Stigmatized with the Denomination of a Sett of men obstinately bent to do nothing for the Safety and Dignity of his Majestys Government but upon the hardest Conditions, for only Sincerely endeavouring and Pursuing those Methods they think most Proper to Redeem the Country from that almost intollerable Burthen imposed on the People no ways for the Safety Support or Dignity of this Government there being in the Bill passed by this House better Provision made for the payment of the Clergy, Publick Creditors and Officers, than in that Law which at first was projected for that purpose.

*Resolved* That by the refusal of the Honourable the Lieu<sup>t</sup> Governo<sup>r</sup> to grant his aid to Compel *Richard Littlepage* and *Thomas Butts* of *New Kent* County to appear at the Barr of this House. The Burgesses are denyed their just Rights and Priviledges.

*Resolved* That the Message from the L<sup>t</sup> Governor of the 27<sup>th</sup> August last contains in it undeserved and Scandalous Reflections upon the Persons and Proceedings of this House of Burgesses.

A Message from the Council by Mr *Robertson*.

That the Council do adhere to all the Amendments by them proposed to the Bill Entituled *an Act for the frequent meeting and calling Assemblies*

The House proceeded to the immediate Consideration of y<sup>e</sup> Said Message and thereupon.

*Resolved* That this House do insist on their Disagreement to those parts of the Councils Amendments to which their Honours do Adhere.

*Resolved* and accordingly *Ordered*

That the Several Persons to whom Mony Allowances are made in the Book of Claims be paid their Several and respective Allowances out of the Moneys arising by the Dutys on Liquors and Slaves next after the Moneys already appropriated and Ordered to be paid out of the Moneys arising by the Said Dutys are Satisfied and paid. And that the Said Payments be made in the Order they Stand in the Said Book of Claims.

*Ordered* That the Committee for Publick Claims do carry the Said Resolve to the Council and Desire their Concurrence thereunto.

An Ingrossed Bill requiring the Vestry of the Parish of *Henrico* to build a Chappel in the Said Parish was Read the third time

*Resolved* That the Bill do Pass

An Ingrossed Bill for Setling a Publick ferry over *Pamunky* River in the County of *King William* was read the third time.

*Resolved* That the Bill do Pass

*Ordered* That Mr *Randolph* Mr *Jones* Mr *Boush* Mr *Johnson* Mr *Corbin* Mr *Bird* and Mr *Cocke* do carry the Bills to the Council and desire their Concurrence thereunto

A Bill to oblige the *Virginia Indian Company* to Defray the Charge of their Trade and all other charges arising by means thereof was Read a Second time

*Ordered* That the Bill be Ingrossed

Mr *Randolph* moving for Leave to be absent on his Extraordinary Occasions Leave is accordingly given him.

And then the House Adjourned till to morrow morning ten a Clock.

*Saturday September the 3<sup>d</sup> 1715.*

**A**N Ingrossed Bill to oblige *Virginia Indian Company* to Defray the Charge of their Trade and all other charges arising by means thereof was Read the Third time.

*Resolved* That the Bill do pass

*Ordered* That the Committee of Propositions and Grievances do carry the Bill to the Council and Desire their Concurrence thereunto.

A Message from the Council by Mr *Robertson*.

That the Council have agreed to the Bill Entitled *an Act for y<sup>e</sup> Encouragement of Such persons as have gone and Shall go Voluntarily into the Service of South Carolina* with an Amendment to which the Council Desire the Concurrence of this House.

Also a Written Message from the Council by Mr *Robertson* which is as followeth *Vizt.*

*Mr Speaker and Gentlemen of the House of Burgeffes*

The Council having now under Consideration the Book of Claims Sent up from your House, and observing that the Claim of *James Shields* for dieting and Accomodating the Three Interpreters who Attended the Indians upon the Publick Service, is disallowed by your House, think it necessary to put you in mind that Such Charges have been defrayed by former Assemblies: And therefore Propose that your House will consent that the Council may add that Allowance to the Book of Claims, before it be pass'd: but if you Judge that the Interpreters in regard of their established Sallarys, ought to bear their own Expences, that then this Charge be Deducted out of their Allowance in the Book of Claims and paid to the Said *Shields*; otherwise he will be left without Remedy.

The Claims also of *James Terrey* of *Gloucester* County and *John Roberts* of *York* for carrying on board the Volunteers Lifted for the Service of *South Carolina* are disallowed by your House, as being no Country Charge, upon which the Council cannot forbear observing to you, that after the Treaty upon which those forces were Raised had been laid before and approved by your House, and that you cannot imagine that Such a number of men can be raised and embark'd without Some charge, the Rejecting Such a trifle as the Expence of carrying them on board, Seem little agreeable to the Engagements of your House for enabling the Governor to perform that Treaty. And therefore the Council are willing to impute it rather to inadvertency than Design, that this Claim is not allowed.

The Council cannot but observe likewise the unusual manner in which Several Claims, thought fit to be Rejected by your Committee are inserted in this Book, for whereas it hath been the constant Practice of former Committees, to mention as well the Services which they did not think themselves obliged to pay as those they allowed of. In this Some Claims are disallowed of, in general terms, without mentioning for what Service the Demand is made, by which means the Council must either trust implicitly to y<sup>e</sup> Report of your Committee, or be deprived [without abundance of trouble] of their Right of Judging and Determining of the Claims of the People for their Publick Services, without which, the Councils Concurrence to the Book of Claims would be meerly a matter of form, which no House of Burgeffes has ever before pretended to, and the Council must insist that it be not made a President for the future.

The Council must Remind you that by a Miscalculation of y<sup>e</sup> Committee of Propositions last Session of Assembly 1700<sup>th</sup> of Tobacco was appointed to be paid in *King* and *Queen* County, more than the Publick Levy of that County amounted to, but no Provision is yet made for Supplying the Deficiency: And as the Publick Creditors of that County must fail of So much of their just Dues, unless care be taken to Raise the Same in this years Levy, The Council cannot doubt but that your House will agree that y<sup>e</sup> Same be now charged as a Debt upon the Country in the present Book of Claims.

These Amendments being agreed to by your House, The Council are ready to pass the Book of Claims accordingly.

*September* the 3<sup>d</sup> 1715

The House proceeded to the immediate Consideration of the Message and all the Proposals therein made were agreed unto by the House, except one which was disagreed unto.

*Resolved* That a written Message be Sent to the Council in Answer to their Said Message and to Acquaint them how far this House have agreed to the Amendments by them proposed to be made to y<sup>e</sup> Book of Claims and wherein they have Disagreed.

*Ordered* That the Committee for Publick Claims do prepare and bring in y<sup>e</sup> Message.

Then

Then the Houfe took into Confideration the Amendment propofed by the Council to the Bill Entituled *an Act for the Encouragement of Such perfons as have gone and Shall go Voluntarily into the Service of South Carolina* And the Same was Read and agreed unto by the Houfe.

A Petition of *Miles Cary* Clerk of the Committee for Publick Claims Referr'd by the Council to the Confideration of this Houfe was Read Praying a better Allowance for his Service this Seffion than is made him in the Book of Claims.

*Ordered* That the Said Petition be Rejected

And then the Houfe Adjourned till to morrow morning ten a Clock

*Monday September the 5<sup>th</sup> 1715.*

**M**R *Marable* from the Committee for Publick Claims Reported that the Said Committee had [according to Order] prepared a written Meffage to the Council, which he prefented to the Houfe, and the Same was Read and agreed unto by the Houfe and is as followeth *Vizt.*

*By the Houfe of Burgefles*

*May it Pleafe your Hono<sup>rs</sup>*

Upon Confidering your Honours Meffage of *Saturday* laft relating to the Book of Claims the Burgefles are of Opinion that the Claim of *James Shields* for Dyeting and accomodating the Indian Interpreters ought not to be a Charge upon the Country but that they ought to bear their own Expence, and therefore the Burgefles do agree that that Charge be Deducted out of the Interpreters Allowance and paid to M<sup>r</sup> *Shields*

The Burgefles Do infist on their Difallowance of the Claims of *Terry* and *Roberts* for carrying on board the Voluntiers Lifted for y<sup>e</sup> Service of *South Carolina*, for the reafon mentioned in the Book of Claims [to wit] That thofe Claims are not a Country Charge

Such Claims as your Honours obferve to be Difallowed in general Terms without mentioning for what Service the Demand is made y<sup>e</sup> Burgefles are well Satisfied ought not to be allowed, Nothwithftanding the Services are not mentioned in the Book of Claims. And that your Honours may neither truft implicitly to the Report of our Committee nor be deprived of your Right of Judging and determining the Claims of the People for their Publick Services. We do affure you that the Burgefles will always Endeavour So to prepare the Book of Claims, before it be Sent up to your Board, that your Honours may have as little trouble as poffible in the Examination and paffing thereof: And that if any Claims have been Reported by the Committee in an unufual manner, and paffed unobferved by our Houfe, it Shall not be made a Preident for the future.

The Burgefles are Satisfied that there was a Mifcalculation laft Seffion of Affembly of 9000<sup>li</sup> of tobacco appointed to be paid in *King* and *Queen* County more than the Publick Levy of that County amounted to, and do agree that Sum be now charged as a Debt upon y<sup>e</sup> Country And that Allowances thereof be made in the Book of Claims to whom the Same is due. And obferving by the laft Book of Proportions that the Governor was Short paid of the Tobacco Raifed for him by the laft Affembly 306<sup>li</sup> of tobacco We do defire your Honours would alfo make that Allowance to the Governor in the Book of Claims.

*September the 5<sup>th</sup> 1715.*

*Ordered* That the Said Meffage be fairly Tranfcribed and Signed by the Clerk of this Houfe, and that the Committee for Publick Claims do carry the Meffage to the Council.

M<sup>r</sup> *Marable* Reported from the Committee to whom the Bill for Regulating and Afcertaining Secretarys County Court Clerks Sheriffs Coroners and Conftables fees are



are Committed; That y<sup>e</sup> Said Committee had made Several Amendments to the Bill w<sup>ch</sup> they had Directed him to Report to the Houfe, which he Read in his place, and afterwards Delivered in at the Table, where the Same were Read.

*Ordered* That the Said Amendments Do Lye upon the Table to be perufed by the Members of the Houfe.

And then the Houfe Adjourned till to morrow morning Ten a Clock.

*Tuesday September the 6<sup>th</sup> 1715.*

**T**HE Houfe took into Confideration the Amendments to the Bill for Regulating and Afcertaining Secretarys County Court Clerks Sheriffs Coroners and Conftables fees made by the Committee to whom the Said Bill was Committed, and the Same were Read and agreed unto by y<sup>e</sup> Houfe, and Some other Amendments were made by the Houfe to the Bill

*Ordered* That the Bill with the Amendments be Ingroffed

A Meffage from the Council by Mr *Robertfon*. That the Council have paffed the Book of Claims with the Amendments agreed unto by this Houfe and have obtained the Governors Affent thereto.

And alfo that the Council have agreed to the Refolve of this Houfe relating to the Payment of the Mony allowances made in y<sup>e</sup> Book of Claims, and have likewife obtained the Governors Affent to that Refolve

A Committee for Proportioning the Publick Levy

Mr *Marable*.....Mr *Jenkins*

Mr *Conway*.....Mr *Minge*

*Ordered* That the Clerk of the Committee of Propositions & Grievances do attend the Committee for Proportioning the Publick Levy in y<sup>e</sup> Abfence of Mr *Cary* now in the Country for Recovery of his health.

A Meffage from the Council by Mr *Robertfon*. That the Council have agreed to the Bill Entituled *an Act Requiring the Veftry of the Parifh of Henrico to Build a Chappel in the Said Parifh* without any Amendments

And then the Houfe Adjourned till to morrow morning Ten a Clock

*Wednesday September the 7<sup>th</sup> 1715.*

**O***RD*ERED That a Bill be brought in for Raifing a Publick Levy and that the Committee for Publick Claims do prepare and bring in y<sup>e</sup> Bill.

*Ordered* That they withdraw immediately and prepare the Bill And they withdrew accordingly.

Mr *Neal* [on Motion] hath Leave to go into the Country on his Extraordinary Occafions.

An Ingroffed Bill for Regulating and Afcertaining Secretarys County Court Clerks Sheriffs Coroners and Conftables fees was Read the Third time, and an Amendment was made by the Houfe to the Bill.

*Resolved* that the Bill do pafs.

*Ordered* That Mr *Boufh* Mr *John Buckner* Mr *Robinfon* Mr *Ashton* Mr *Jones* Mr *Goodrich* Mr *Cocke* Mr *Anderson* Mr *Hall* and Mr *Presley* do carry the Bill to the Council and Defire their Concurrence thereunto.

Mr *Marable* [according to Order] prefented to the Houfe a Bill for Raifing a Publick Levy, and the Same was Received and Read the firft time and Ordered to be Read a Second time.

*Resolved* That the Bill be now Read a Second time.

And the Bill was Read a Second time and an Amendment was made by the House to the Bill.

*Ordered* That the Bill with the Amendment be Ingrossed.

*Ordered* That Mr Jones Mr Goodrich Mr Boush and Mr Blackburn do Examine the Inrolled Bills by the Ingrossed Bills.

Mr Marable Reported That the Persons appointed had (according to Order) Proportioned the Publick Levy and that it amounted to Two pounds and a quarter of a Pound of tobacco & Poll and he presented to the House a Book of the Proportions and the Same was Received Read and Agreed unto by the House.

*Ordered* That the Persons that Proportioned the Publick Levy do carry the Said Book to the Council and desire their Concurrence thereunto.

An Ingrossed Bill for Raising a Publick Levy was Read the Third Time.

*Resolved* that the Bill do pass

*Ordered* That the Committee for Publick Claims do carry the Bill to the Council and desire their Concurrence thereunto.

Mr Jones Reported That the Persons appointed had (according to Order) Examined the Inrolled Bills by the Ingrossed Bills and that the Said Bills are truly Inrolled.

A Message from the Council by Mr Robertson. That the Council have agreed to the Book of Proportions without any Amendments, and have obtained the Governors assent thereunto.

And also That the Council have agreed to the Bill Entituled *an Act for Raising a Publick Levy* without any Amendments.

Mr Robertson further Acquainted the House that he was Commanded by the Council to Deliver a written Message from their Honours to this House, and he presented the Same to the House accordingly.

*Ordered* That the Persons that Examined the Inrolled Bills do carry the Same to the Council for their perusal.

The written Message from the Council was Read and is as followeth *Vizt.*

*By the Council.*

*Mr Speaker and Gentlemen of the House of Burgeffes*

The Council having Seen Some Resolves of your House of *ffriday* last, of a very extraordinary nature, and drawn in Such a Stile as if they were Designed to Expose the L<sup>t</sup> Governor and themselves as well as the last House of Burgeffes, and to appeal to the People for the Justifications of your proceedings think themselves obliged both in Vindication of the Truth which in their Opinion is in Some things grossly Misrepresented; and for the Preservation of the Peace of the Country, which they take to be very much endangered by Such a Strange Conduct, to take the Said Resolves into Consideration, and to endeavour either to perswade you into a better mind, or at least to Justify the Governor and Government from Such harsh and undeserved Aspersions

1. Whereas in the first of those Resolves y<sup>e</sup> Declare that the L<sup>t</sup> Governor, by his Agreement with the House of Burgeffes at their Session in 1714 hath engaged to Defend the frontiers of this Colony until *December* 1716, for the Several Sums of mony and tobacco then given him for that Purpose. We cannot beleive you could be ignorant that all that Defence related only to the Setled Pay of the Rangers, and the building the fort at *Christianna* and Some other things there Enumerated, and that it could have no Reference to any Such Extraordinary Emergency as has happened to our Neighbours of *South Carolina*, or may happen to us by the Incurfion of any Enemy whatsoever: and Especially Since in your first Address to the Governor; you assure him that you are heartily Desirous to Join your Endeavours in giving your best Advice and Assistance for the Better Security and Defence of your Country; We are therefore amazed, that y<sup>e</sup> not only neglect the Providing for the Defence of the Country in a time of apparent Danger, but would insinuate to the People, that it must be the fault of y<sup>e</sup> L<sup>t</sup> Governor; if they are not well defended, he having Recieved a Sufficient fund for that Service, when to our knowledge the Engagements entred into by the L<sup>t</sup> Governor last Session of Assembly

Assembly eafed the People above Two hundred thoufand pounds of tobacco in their laft years Levy, and the whole fund was Solely appropriated by the Affembly and not one farthing of it given to the L<sup>t</sup> Governor for any other Occafion.

2<sup>d</sup> In the Second of thefe Refolves, We cannot but think it Strange that you Speak of a real Intention to relieve *South Carolina*; when y<sup>e</sup> have Shewed it no other way, but by tacking an Offer of four hundred and fifty pounds to the Repeal of the Tobacco Law: Surely y<sup>e</sup> could not be ignorant [it is a thing So well known] that all tack'd Bills are of courfe to be Rejected by the Standing Rules of our Houfe. And if y<sup>e</sup> had had Such a real Intention to Releive *Carolina*, y<sup>e</sup> have had time enough to do it by a new Bill without any Clog or Tack

3<sup>d</sup> In your third Refolve, We cannot wonder enough y<sup>e</sup> Complain So heavily of the Agents fees, and yet refufed to Joyn in a Bill for leffening the Same one half upon all Crop Tobacco

4<sup>th</sup> In your fourth Refolve, thô there is a Law Afcertaining the Burgeffes Sallary, We know neither Law nor Practice either of *England* or *Virginia*, to hinder any Gentleman generoufly to Offer to Serve his Country gratis, and can't reconcile it, that your Houfe, which Complains So much of the poverty of the Country Should be the firft to difcourage Such a generous Practice in thefe Gentlemen, and So frugal to the Publick.

5<sup>th</sup> As to your fifth Refolve, We can't See how the Difpute between the L<sup>t</sup> Governor and you Should ty up your hands all this time, that you could not form one Bill to anfwer the good Defigns of your meeting, *Vizt*, The Affiftance of your Diftreffed Neighbours, and the Defence of the Country: there being nothing more Common in our Mother Country than to have Difputes about Priviledges, at the Same time that ways and means for the Publick Safety and Defence are diligently contrived and put in Execution

6<sup>th</sup> In your Sixth Refolve, the Libertys of the People are a Plaufible Plea; but We See not how the Juftices being upon their Oaths are obliged to Certify any thing they think falfe or Seditious, or as the Grievance of more perfons than are ready to own it in their prefence

7<sup>th</sup> As to your Seventh Refolve, It is not your Opinion of what is falfe or Seditious, but their own Judgments and Opinions, that the Magiftrates upon their Oaths are to be governed by Nor if they tranfgrefs their Duty, does it follow that they are anfwerable at the Bar of your Houfe, except for the breach of your [not the Peoples] Priviledges.

8<sup>th</sup> As to your Eighth Refolve, We are Sorry for the Imputation in the L<sup>t</sup> Governors Message, that you are a Set of men obftinately bent to do nothing for the Safety and Dignity of his Majeftys Government. But we are of Opinion that it is not Words but Actions that will wipe of this Imputation. If the Heathen Enemy Should fall upon us, as they have done on our Neighbours, have y<sup>e</sup> done any one thing for our Defence? And thô in your zeal againft the late Law for preventing frauds &c y<sup>e</sup> Affert that it is no ways for the Safety, Support and Dignity of this Government, it will require Some thing more than Strong Affertions to convince the World that fraud and trash are as much for the Dignity or Intereft of the Government as honefty and fair dealing. And as for the better Provision you Speak of, for the Clergy and Publick Creditors and Officers by the Bill y<sup>e</sup> now Offered, than by the Law y<sup>e</sup> would have Repealed: We are well Satisfied the Clergy and Publick Officers are of another Opinion, as having long Suffered by the old fraudulent way of packing and Paying away tobacco, the worft of it being commonly put upon them, thô even then, they had more unbyaffed and Difinterefted Judges to View it than by the Bill you prepared: Whereas by the prefent Law, their paym<sup>ts</sup> are of equal Value with that of other People.

9<sup>th</sup> As to your Ninth Refolve, that the Refufal of the Hono<sup>ble</sup> the L<sup>t</sup> Governor to grant his Aid to Compel *Richard Littlepage* and *Thomas Butts* of *New Kent* County to appear at the Bar of your Houfe, is a Denial of your juft Rights and Priviledges, thô we are loth both to enter into a Difpute about your Priviledges, We muft do the L<sup>t</sup> Governor Right, to bear Witnefs that if y<sup>e</sup> would have Separated what was your undoubted Priviledge

ledge in that matter [namely the Retaking a Prisoner that had Escaped from your Messinger] from another more Difficult point [which was the Erecting of your Selves into a Court to try Crimes and Misdemeanours at the Bar of your House] he always Declared his Readiness to Assist you with his Authority: but your Stiffly insisting on both those points was the Sole cause of his Denying you the Assistance you Desired.

10<sup>th</sup> But your last Resolve, that the Message from the Lieu<sup>t</sup>. Governor of the 27<sup>th</sup> August last contains in it undeserved and Scandalous Reflections upon the Persons and proceedings of this House of Burgeesses; is Contrived in Such haughty and indeed Scurrilous terms, and So unbecoming the respect due to his Majestys Representative, and the Gratitude the Country owes to Colonel *Spotswood* for his Vigilant and just Government, and his zeal both for his Majestys and the Countrys Service, that we are mightily Surprized at it, as Savouring more of passion than Deliberation; And We doubt, will reflect more on the breeding and good manners of the Country than Convince any indifferent person, who compares the Message and the Resolve together, that it deserved any Such harsh or disrespectful Censure. We are willing to beleive most of your House were Surprized into it, and upon Second thoughts, will be for Razing it out of your Journals that it may not Expose our undutifulness to his Majesty or ingratitude to So good a Governor to the View of Posterity

*Wednesday September 7<sup>th</sup> 1715.*

A Message from the Council by Mr *Robertson*

That the Council have perused and Examined the Bills Sent up by this House and are Satisfied that the Same are truly Inrolled.

A Message from the Governor by Mr *Robertson*.

Mr *Speaker*.

The Governor Commands the immediate Attendance of this House in the Council Chamber, and that you bring with you Such Bills as are ready for his Assent.

Accordingly Mr *Speaker* with the House went up to Attend the Governor in the Council Chamber where he was pleased to pass the following Bills *Vizt*.

*An Act for the Encouragement of Such Persons as have gone and Shall go Voluntarily into the Service of South Carolina.*

*An Act for Raising a Publick Levy.*

*An Act Requiring the Vestry of the Parish of Henrico to build a Chappel in the Said Parish.*

And then his Honour made the following Speech *Vizt*.

*Gentlemen of the House of Burgeesses*

It has been Practized by former Assemblies, at the Close of a Session, to give a Summary of their Proceedings; but as I question whether you have truly Considered what you have been doing, I Judge the Task would be too difficult for you to undertake, or too ungrateful for your Speaker to Deliver; I Shall therefore Spare you the Confusion of telling your own Actions, and Shall Sum them up for you, with Such faithfulness as may be proved from your Journals with Such Repentment as becomes a Governor who has at heart the Safety and Honour of his Province, and with Such Boldness as he may Venture who no ways apprehends a Charge of One unjust, Illegal or Corrupt Act during his whole Administration

I Assembled you to provide for the Security of the Country, in a most perillous Juncture, and that you might upon that Point consult the People you Represent, I plainly declared in my Writts, that it was the main Occasion of my Conveening you

At the Opening of this Session I laid that Matter before you in the most pressing terms I was Master of, and did, both then, and Since Set forth that unless you used Dispatch, you did not Serve your Country.

But as if the King of *Great Britain's* Representative was fallen below the regard of the Representatives of the Planters of *Virginia*, neither his Writts nor his Speeches Seem to be of any Significancy with your House: Matters entirely fforreign to the End for which you were called, have been first entred upon; The insolent Remonstrance of

Refractory

Refractory Indians [ drawn up by a Member of your Houfe, and prefented and encouraged by others among you] has been taken into Confideration before your Governors Speech; and the Giddy Refolves of the illiterate Vulgar in their Drunken Conventions you hold for the moft Sacred Dictates to your proceedings.

'Tis fit the World Should know what thofe People would have and what you prefer to the Defence of your Country or Relief of your Neighbours.

They tell you that thofe Laws Shall be Repealed which prevents Frauds in Tobacco Payments, and Reftrain them from Leffening the Kings Customs by Shipping off their Traff: That thofe Shall be altered which oblige them to pay duely the Kings Quit Rents, or enable the Governor to Inform his Majefty of the Encrease and Decrease of the Colony: That the Act for Regulating Trade and Propagating the Chriftian Faith among the Indians Shall be abrogated, the School for teaching their Children be Demolifhed, and the Gent<sup>l</sup> at whole charge it was Erected, be Banifhed out of *America*, and their Eftates Confifcated: That Officers Fees Shall be reduced below what former Affemblys have Judged reasonable, and that they Shall not be allowed to be Diftreinable: That Creditors fhall be Satisfied with Such payments as the Debtors Shall think fitting to make: That in Ordering the Militia, Securing the Frontiers, Commiffionating Juftices and Placing Courts, the Notions of the People fhall be rather followed, then the Judgment of the Kings Governor: That the power of the Crown fhall be Clipt by a Triennial Bill, and by excluding all Officers in places of profit or Truft from Sitting in the Affembly.

In Short not to mention all the Ridiculous Propofitions and Grievances which the Seditious or ignorant Vulgar have Set their Marks to; you are by them directed to Reverse Such Laws as the laft Affembly raifed upon the Basis of Religion, Juftice or Honour, and to make thofe which will Square only with the Conveniencys of the meaner People.

'Tis fit alfo to remark the Countenance you have given to thefe Papers.

Many of them are drawn up in the hand writing of your Members, and in Violation of the Laws for Prefentation of Grievances, have been Signed at Election ffields, Horfe Races and other drunken Meetings: your Doctrine is, that no Courts muft dare to question the truth or reasonablenefs of them, and Juftices, on pain of your higheft Difpleafure muft Atteft them, thò even againft their knowledge, to be the General Propofitions and Grievances of their Countys, Nay Such Gentlemen as being on the Bench, have taken themfelves to be Judges in thefe Cafes, and refused to Act againft their Confciences, you have Sent for in Cufody, Voted guilty of illegal and Arbitrary doings, and you have Strenuoufly endeavoured to Erect your Selves into a Court of Judicature, to try and Sentence them at the Bar of your Houfe for Mifdemeanours.

Your Design, in labouring firft to procure Grievances, and afterwards to Vindicate them, appears plainly enough, when you made a long train of them Serve in a formidable manner to introduce a moft unrighteous Bill; and thò you would Set forth that Three and twenty Countys expect it Should pafs, yet tis evident all the Subfcribers will not make up half a County: nor fhall a Seditious Paper Signed by five obfcure Fellows, who muft have a Scribe to write all their names, ever pafs with me for a County Grievance

To Shew the Regard you have for Religion; you at firft Sight Rejected a Propofal for Chriftianizing your Slaves, but at the Same time another Propofition for Difcouraging the Propagation of the Gofpel amongft the Indians, was Referr'd to your Grand Committees Confideration, as if the Preaching the Gofpel to the Heathen were a Crime which ought to be Reftrain'd by Law. Nay and a Bill has been brought in and pafs'd your Houfe for Suppreffing that Society, one of the main ends of whole Inftitution is, to promote Chriftianity among the Indians; as is manifefted by the School they have Erected, the Pagan Children they have been concern'd in Baptizing, and the Subject they have chofen for their Anniverfary Sermon. And I muft Recommend that Bill to the Publick for a Teftimony of your Truth, your Policy, your Moderation, your Reafon and your Juftice.

The Respect and Duty you bear to your Prince, is Display'd by the Care you take to Support his Government: by your persecuting his Commissioners of the Peace, and Affuming to your Selves the power of Judging and Punishing them for their proceedings on the Bench: by Ordering, absolutely of your Selves, his Attorney General to Commence Prosecutions: by Offering to bring his Governor and Councils Proclamation under the Censure of your House, even when you had nothing to object against the form and Substance of it: By your unparallel'd Rudeness to his Representative, when your Resolves declare in express words his Message to be Scandalous: By your aiming to be at Liberty to Defraud his Majesty in the payment of his Quit Rents: By your pretending to impose Rules upon him for the calling Assemblies and to exclude out of them all persons whom you apprehend to be Devoted to his Service: And by your Singular treatment of the only Charter that ever was granted by your Sovereign for a Member to Sit in your House; for without any Complaint of an undue Election, and even after a Resolve had pass'd that the Return had been made according to Law, you Expelled the Elected Person, who had presided for many years with Honour in your House, and kept him out Several days before any manner of hearing.

You have Set forth the Colony to be greatly impoverished by its Engagements, yet would you give no Attention to what either the People, the Council or my Self have told you of the Charge of Assemblies, which has far exceeded all the Publick Levys: And you that Complain of your Country's being reduced to the last Degree of Poverty, have provided against its being Relieved from its heaviest Burthen, by Resolving it to be Bribery for Burgesses to Serve without their Allowances, and by Expelling Gentlemen for Offering to do it.

You that Complain of the hardships in the Tobacco Law, and the Extraordinary Imposition laid thereby, have denied to take under Consideration the Councils Bill for Reducing the Agents fee to half, and for amending that Law conform to the reasonable Desires of the People: and you persist evidently to Act by a Principle, which Some of your Members have been weak enough to Declare, as well in the House as out of it, *Vizt*, that it is your business to keep the People Enemies to the Tobacco Law, and that you fear Amendments would reconfigure them to it

You said would pass for Patriots who Strive to Indulge the poorer Sort of People, yet have you refused to Ease them of a Burthen <sup>wh</sup> they very unjustly bear, for certainly the charge of Secureing a Country ought to be laid proportionably to the Estates that are to be defended: And upon this Maxim did I form my Scheme for providing the poor with Arms, and paying them by the Rich, whenever they were called from their homes to Musters or other Publick Services. But you have chosen rather to keep your old Militia Law, which obliges the men who have generally the least Stakes in the Country to be at the Expence of Arms and Ammunition and at the trouble of Attending Musters; while the wealthier Sort contribute not One farthing thereto, nor are under any Penalty for non Attendance.

Your Spending time about Bills, which you know very well could never pass, was Surely done more with regard to your own profit than the Countrys advantage. And what could you mean by Such a Composition of indefinite Sentences, as you gave me in Answer to my Speech: And afterwards when you found I questioned your Intentions, to Address me with full Assurances of your unfeigned zeal for the preservation of your Country, and Commiseration for your Distressed Neighbors; I Say, what could you mean thereby, but to engage me to keep you on foot to make your Allowances considerable: for the Event has Shewn that you never designed to provide either for the Security of the one, or for the Assistance of the other.

To deceive me Still further with an Expectation of your doing Something for the defence of the Country, you desired me to lay before you a Scheme for the better Regulating the Militia: But as if you meant only to learn my Notions thereof, that you might the more certainly Act counter to them, you upon Receipt of my Scheme gave Instructions to your Committee to draw up a Militia Bill upon a quite different foot, and after you had long kept it Depending, you destroyed it in your own House

After I had, at your request, Laid before you the Government of *Carolinas* Application to me for Supplies, and the Treaty I thereupon made, was there a man that pretended to fault the Same? No, you Voted £450: to enable me to Comply with it; but then I must have it upon terms which the yielding to, would be So high an Act of injustice as would render me unworthy to be a Governor; for I must Assent to y<sup>e</sup> Repealing a Law, upon the Faith of which at least £7000: had been Expended last year, in Store houses Wharffs and Scales and no Equivalent or Compensation made in your Act to the Persons who had Disburfed the Same.

So then all the Assistance you have given me to perform my Treaty, is a trivial Bill to excuse a few of the *Carolina* Volunteers from paying this years Levy, which I think even without Such an Act, cannot fairly be Demanded of them, Since they are not Inhabitants of this Colony. And more Strange is your Caution of enabling me to Defend your Country, when you have Rejected a Claim of Nine Shillings for the fforage of Three horses, which I Sent to draw Canon to the Frontiers.

Will not the World Say it is below the Dignity of the Representative Body of the Kings first Colony, to Trick and Trifle thus with their Governor? To Assure him, on the 8<sup>th</sup> day of their Session that they are heartily desirous to Joyn their best Assistance for the better Security and Defence of their Country: To Repeat, on y<sup>e</sup> 20<sup>th</sup> day, full Assurances of their unfeigned zeal for its preservation: and at last, on the 31<sup>st</sup> day of their Session to Resolve that it is wholly incumbent upon him to Defend it.

If I propoed to the last Assembly a more frugal Method for Securing the Frontiers, and contrived that the Same Sum which they had given to defend the Country till *January* 1714. Should Serve to Secure it until *December* 1716, Sure no Man of common Sense and Justice will from thence infer that I am bound to provide any other Safe-guard, than according to the Establishment that the Assembly made upon my Proposal.

And it is black Ingratitude in your House to insinuate, by one of your Resolves, as if I had already been Sufficiently paid for Guarding the frontiers, for both this year and the next; for I Defy even a *Conway*, a *Corbin*, or a *Marable*, to make appear that the Money and Tobacco, given by the last Assembly for the Defence of the Country for those two years, can enable me to pay one man more than what have constantly been and actually are kept on foot.

Trees are to be known by the Fruit they bear; and 'tis not your rash Resolves, but considerate Acts, that can clear you of the Imputation of being obstinately bent to do nothing for the Safety and Dignity of his Majestys Government; and now after a Session of thirty Six days I challenge you to tell me of one Single thing you have done for the benefit of the Same

And when you deny to give any thing towards Defending his Majestys Government, is it a time to ask to be at Liberty to defraud your Sovereign of Thousands of Pounds in his Quit Rents?

When the Publick Levy, which you have now laid is but 71230½<sup>lis</sup> of tobacco And the Burgeffes Allowances for this Session, with the Officers, amount to above 338000 is there any Motive to the Crown to yield to be tyed up to frequent Assemblys?

And now after Such an Expence, pray Mr *Speaker*, what Acts is your Assembly to be Recorded for? none truly that will be Admitted into the Statute Books; for the Three inconsiderable ones which I have now passed, are only private and Temporary Acts.

Considering the Length of your Session, and the general accord in your House, where you have not had above five or Six Gentlemen who have withstood your proceedings; 'tis Strange that you have not been able to fall upon any just Measures, to Redress the mighty Grievances you came fraughted with, or to frame one Bill of Moment, which y<sup>e</sup> Council could in reason Pass

The Opinion of this Body must have great weight with me, who know with what Deliberation and Temper they have handled your Bills, how truly Desirous they have been to Redress real Grievances, and how zealous to bring you into Measures for that purpose

purpose, which might be agreeable to Justice, Honour and the Publick Welfare of their Country.

This Body of Gentlemen, as well as those few among you, who have all along dissented from your wild Proceedings, must be allow'd to have far greater concerns in *Virginia*, than all the Grand Governing Body of your House; So cannot be Suspected of having less at heart, than you, the Interest of the Country; and considering their parts and Stations, I must acknowledge them to be the best Judges thereof.

But to be plain with you, the true Interest of your Country, is not what you have troubled your heads about; all your proceedings have been calculated to Answer the Notions of the ignorant Populace; And if you can Excuse your Selves to them, you matter not how you Stand before God, your Prince, and all Judicious men, or before any others to whom, you think, you owe not your Elections.

The new Short Method you have fallen upon, to Clear your Conduct by your own Resolves, will prove this Censure to be just; for I appeal to all rational men who shall Read the Assembly Journals, as well of the last Session as of this whether Some of the Resolves of your House of the 2<sup>d</sup> Instant, are not as wide from Truth and fair Reasoning, as others are from good Manners.

In fine, I cannot but Attribute those Miscarriages to the Peoples Mistaken Choice of a Set of Representatives, whom Heaven has not generally endowed with the Ordinary Qualifications requisite to Legislators; for I observe that the Grand ruling Party in your House, has not furnished Chairmen for two of your Standing Committees [Privileges and Claims] who can Spell *English* or Write Common Sense; as the Grievances under their own hand writing will manifest. And to keep Such an Assembly on foot, would be Discrediting a Country that has many able and Worthy Gentlemen in it; and therefore I now Dissolve you.



# JOURNALL

OF THE

## HOUSE OF BURGESSSES

AT A

### GEN<sup>LL</sup> ASSEMBLY

Begun at the Capitol the Twenty Third day of  
*April* In the fourth year of the Reign of our  
Soveraign Lord GEORGE King of *Great Brittain*  
*France* and *Ireland* Anno<sup>q</sup> Dom. 1718

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RICHMOND, VIRGINIA.

MCMXI.



# JOURNALL

of the

## HOUSE OF BURGESSES.

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*Wednesday. April the 23<sup>d</sup> 1718*

**T**HE Members present to the number of forty three having taken the Oaths and made and Subscribed the Declaration and taken the Oath of Abjuration according to the Laws made for those purposes mett in the House—

*Thomas Eldridge* having taken the Oaths by Law appointed and Subscribed the Test was by virtue of a Commiffion from the Hon<sup>ble</sup> the Liev<sup>t</sup> Govern<sup>r</sup> Sworn Clerk of the House of Burgeffes and admitted to his place in the House accordingly.

A Message from the Hon<sup>ble</sup> the Liev<sup>t</sup> Governour by *Mr Robertfon*  
*Gent<sup>l</sup> of the House of Burgeffes.*

The Governour Commands your immediate Attendance in the Council Chamber Accordingly the House went up to attend the Govern<sup>r</sup> And he was pleased to Say to this Effect.

*Gentlemen*

I am well pleased with the Generall Choice the Country has made of their Representatives before wee proceed to any Businefs it is necessary your House have a Speaker And I shall Leave it to your choice to Elect Such a person as you think equal to that Trust. Accordingly the Burgeffes returned to their House and proceeded to the choice of a Speaker and after Some time, the House *Nemine contra dicente* made choice of *Mr Daniel McCarty* for their Speaker who was conducted and placed in the Chair—

*Ordered* That *Mr Corbin* *Mr Custis* *Mr Eskridge* *Mr Randolph* *Mr Diggs* *Mr Baylor* *Mr Merrywether* *Mr Blair*, *Mr Bolling*, *Mr Presly* *Mr Willis* and *Mr Johnson* attend the Governour and acquaint him that this House have made choice of a Speaker and to know his pleasure when the House Shall wait upon him to present him—

*Mr Corbin* reported that the persons appointed had (according to order waited on the Governour and Acquainted him that this House had made choice of their Speaker and that they waited his pleasure to know when they should present him, and the Governour was pleased to appoint tomorrow morning at Eleven a Clock in the Council Chamber

And then the House adjourned til to morrow morning Ten a Clock.—

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*Thursday April the 24<sup>th</sup> 1718*

**A** MESSAGE from the Hon<sup>ble</sup> the Liev<sup>t</sup> Governour by *Mr Robertfon*  
*Mr Speaker and Gentl of the House of Burgeffes*

The Governour commands your immediate attendance on him in the Council Chamber and Accordingly the House went to attend the Governour. And being returned *Mr Speaker* acquainted the House to this Effect. That he had represented to the Governour. That the House had been pleased to make choice of him to be their Speaker which was by the Governour approved off, And that thereupon  
in

in the Name of the Burgeffes he humbly moved that all the antient Rights and Priviledges of the Burgeffes might be continued to this Affembly. That they and their Servants in their perfons and Eftates might be free from Arrests and other Disturbances, that in all their Debates they might have freedom and Liberty of Speech and as Occasion requires accefs to his Honours perfon and that thereupon his Honour was pleased to Say they were all granted.

After which Mr *Speaker* further acquainted the Houfe that the Govern<sup>r</sup> was pleased to make a Speech and that the fame being long he had obtained a Copy thereof which he read and then delivered in at the Table where the Same was again read and is as follows

*Gentlemen of the Affembly*

Such is the happy State of your Country that you are not now convened to raife Supplys to defend your Eftates, or to Support the Government but rather to find out the beft waies and meanes to Difpofe of the greateft Bank of money that ever was at One time in the Publick Treafury of Virginia. Nor has this been paid in by the Taxable Inhabitants of the Colony but arifen by Duties laid on Forreign Importations and Neighbouring Provinces muft Envy *Virginia's* Eafe from Publick Levys when they fhall know that Eighty three pounds of Tobacco per pole is the Totall Summe that has been levyed on her People by all the Acts of Affembly for Eleven yeares paft—

Your gratefulleft acknowledgments are moft Juftly due to the Ruler of the Univerfe for the prefent Bleffings you enjoy of a very flourishing Eafie and peacefull Condition, never was the produce of your Lands and Peoples Labours more in Demand or afforded larger Returns, never were your Publick Taxes more moderate the yearly Levy in former times having often been above one hundred  $\text{p}$  poll and never did your frontiers continue under a more perfect tranquility with refpect to the Indians than for thefe four yeares paft—

Confider your Southern Neighbours to know your own happinefs, See how they are involved in Debt by Indian Warrs and cruelly harrafft by heathen Enemys, who have it Equally in their power to annoy us. I can remember the times you Laboured under worfe Circumftances when in the firft years of my Adminiftration your cheif Manufacture inftead of Supporting the Planters family, ufually brought him in debt. when Warr was Judged the only means to preferve this Colony and when a Bill was formed to raife Twenty Thoufand pounds for carrying it on. Reflect who reftained you then from that violent proceeding, And if I have procured your welfare by other meafures and Saved you an Expence of Blood and Treafure, they muft be Strangely perverfe who can continue to Clamour when their Country profpers, meerly becaufe it has not been refcued after their fancys I hope you will think fit to purfue the Steps I have taken to compafs thefe happy ends for to be carelefs of Engagements a Governour has entred into for your Sakes may prove more pernicious to you and your Pofterity than it can be Difhonorable to him. A Difappointed Indian being a Dangerous perfon and no people in the world more apt than they to revenge Breach of Treaty—

The five United Nations of Indians to the Norward have Shewn A Difpofition to break with us And the Indians under the Protection of this Government, telling us plainly (in their phrafe) that the Covenant Chain formerly made with my Lord *Howard* is grown rufty and wants to be brightened, and a confiderable Body of them were actually on their march to infect our Frontiers when I the laft fhall haftened away to *New York* to prevent the Evil Confequences of their nearer approach and Some Preliminaries for that purpofe have been offered which fhall be laid before you And I fhall leave it to your Confultations to determine whether any further meafures fhall be taken to preferve thofe Peoples Friendfhip—

But let me tell you that if a Treaty be Sett on foot the Indians infift upon having it carryed on at *Albany*. and no man goes on Publick Embaffys more than a Warfare at his own Charges, neither can any reasonable man think it Juft that the many Expensive

penfive and flatiguing Expeditions I have undertaken purely for the Countrys Service fhould be defrayed by my own private Purfe—

It is the Kings Pleafure that I fhould communicate to you an Additional Inftitution relating to Aëts of Affembly which may affect the Trade and fhipping of *Great Britain* and in laying before you the Order for Repealing the late Aët which refpected the Indian Trade you will alfo know what I have further in Command from his Maj<sup>ty</sup> to recommend to you—

Gentlemen

I have had the happynefs of a good Agreement with former Affemblys even when there were neceffitys and Troubles to perplex and ruffle their Tempers and now that you have abundant reafon to be eafye in your Countrys peacefull State, to be cheerfull under your own Thriving Circumftances and to be Joyfull for his prefent Majefties Aufpicious Raigh, it muft be allowed that wee have in this meeting Stil a better foundation for Harmony. and as I am entirely difpofed to keep up a good underftanding with you, I hope you will be cationous of being any waies mifled and will aët as if you Sincerely defired to Second this Intention of mine—

*Refolved* That this Houfe will take the Said Speech into confideration on *Tuefday* next

The Petition of the Reverend *Hugh Jones* Clerk praying to be admitted Chaplain to the Houfe was read. And thereupon

*Ordered* That he be accordingly admitted—And

That he attend in the Conference room every morning at Eight of the Clock and read Divine Service—

Severall other Members took the oaths and made and Subfcribed the Declaration and took the Oath of Abjuration according to the Laws made for thofe purpofes—

The Severall Petitions of *Edward Dyer, William ffancis, Ezekiel Gilbert William Wager John Anderfon, John Chauncey Alexander McGregor James Pitman* and *Anthony Baker* were Severally read praying to be admitted Doorkeepers to this Houfe And thereupon

*Ordered.* That the Said *Edward Dyer, William ffancis Ezekiel Gilbert* and *William Wager* be admitted Doorkeepers, and that they give their refpective attendance on the Houfe this Seffion—

A Committee for Elections and Priviledges

*Mr Eskridge* Chairman

*Mr Prefly*.....*Mr Grimes*

*Mr Griffin*.....*Mr Willis*

*Ordered* That *Mr Miles Cary* be Clerk of the Said Committee and give his attendance accordingly—

*Ordered* That the Clerk of the Houfe deliver to the Chairman of the Committee for Elections and Priviledges the Severall writts for Election of Burgefles which fhall come to his hands, and that the Said Committee take into their confideration the Severall Returnes thereon, and make report of their proceedings and Opinions therein to the Houfe—

A Committee for Publick Claimes

*Mr Harrifon* Chairman

*Mr Barber*.....*Mr Diggs*

*Mr Neal*.....*Mr Goodrich*

*Mr Bufh*.....*Mr Johnfon*

*Mr Baylor*.....*Mr Bolling*

*Mr Broadnax*.....*Mr ffitzhugh*

The Petition of *Mr Miles Cary* praying to be admitted Clerk to the Com<sup>tee</sup> of Claimes being read

*Ordered* That he be admitted Clerk to the Said Committee and that he give his attendance accordingly—

## A Committee for Propositions and Grievances

Mr Corbin Chairman

Mr Marrable.....	Mr Randolph
Mr Merriwether.....	Mr Jenkins
Mr Conway.....	Mr Jones
Mr Burwell.....	Mr Blair
Mr Eskridge.....	Mr Braxton

The Petitions of Mr Godfrey Pole and Mr Mathew Kemp each praying to be admitted Clerk to the Committee of Propositions and Greivances were Severally read And there-upon.

*Ordered* That Mr Godfrey Pole be Clerk to the Com<sup>tee</sup> of Propositions & Greivances and that he give his Attendance accordingly—

*Ordered* That the Com<sup>tees</sup> have power to adjourn themselves *de die in diem* and to Send for persons Records Journalls and other Papers they shall from time to time have Occasion of—

*Resolved* and accordingly *Ordered*

That all Propositions Greivances and Publick Claimes be brought into the Houfe on *Tuesday* the Twenty ninth day of this Instant *April* at furtheft or not to be received in this Seffion of Affembly without perticular leave of the Houfe—

*Ordered* That the Clerk of the Houfe Publish the furtheft time Set by the Houfe for receiving propositions Greivances and Publick Claimes during this Seffion by Setting up a fair Copy of the Refolve of the Houfe made in that behalf.

Upon a motion made after a Debate, the question was put.

That Instructions be given the Committee of Elections and Priviledges to inspect the Journall of this Houfe at the laft Seffion and report what is neceffary to be further confidered this Seffion relateing to a Breach of y<sup>e</sup> Priviledges of that Houfe

It paft. In the Negative

*Ordered* That the Committee of Propositions and Greivances Inspect the Journal of the laft Seffion and report to the Houfe what they find neceffary to be taken into consideration this Seffion—

*Ordered* That the Committee for Publick Claimes inspect the report of the Said Committee at the laft Seffion and report to the Houfe what they find neceffary to be further confidered this Seffion—

The Orders of the Houfe for laft Seffion being read at the table—

*Resolved* That the Houfe do approve of the Same and that they shall continue Orders for this Seffion—

*Ordered* That the Said Orders lye constantly upon the table for every Members Perufall

*Ordered* That the Houfe be called over as often as shall be thought convenient and that thofe Members who shall be wanting in their Duty of attendance be lyable to the Cenfure of the Houfe—

*Resolved* and accordingly *Ordered*.

That it be a Standing Rule of this Houfe that fifteen member with the Speaker be a Sufficient Number to adjourn

And then the Houfe adjourned til to morrow Morning ten a Clock.—

*Fryday April the 25<sup>th</sup> 1718*

**S**EVERALL Publick Claimes from the Countys of

Middlesex.....	New Kent
Henrico.....	Richmond
King & Queen.....	King William
Charles City.....	Prince George
Elizab City.....	James City
Warwick.....	York.
Gloucester	

were

were presented to the House and referred to the consideration of the Com<sup>tee</sup> for Publick Claimes to Examine the Subject Matter thereof and report the Same with their Opinions therein to the House

A Claime of *Henry Tyler* Sherriff of *York* County for his attendance at the Generall Court was presented to the House and referred to the Consideration of the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinions therein to the House.

A Claime of *Tho. Nutting* sherif of *York* County for his Attendance at the Gen<sup>l</sup> Court was presented to the house & referred to the Consideration of the Committee for pub<sup>l</sup>. Claims to Examine the matter thereof & report the Same w<sup>th</sup> their Opinion therein to the House

A Proposition from Severall of the Inhabitants of *New Kent* County was read and after a Debate, the Question was put.

That the Said Proposition fhall be committed to the Committee of Propositions and Greivances

*Resolved* In the affirmative—And thereupon—

*Ordered* That the Consideration of the Said Proposition be referred to the Com<sup>tee</sup> of Propositions and Greivances to report their Opinions therein—

A Grievance from the County of *Richmond* was read and referred to the consideration of the Committee of Propositions and Greivances to report their Opinions therein Upon a Motion made

*Ordered* That Mr *Cole* and Mr *Grymes* be added to the Committee of propositions and Greivances

The Commiffion of Mr *James Sherles* to be Messenger to this House was read

Mr *Jenkins* moving for leave to be absent from the Service of the house til *Tuesday* next. Leave is accordingly given him—

And then the House adjourned til to morrow morning ten a Clock

### *Saturday April the 26<sup>th</sup> 1718.*

**S**EVERALL Publick Claims from the Countys of *Norfolk* and *Isle of Wight* were presented to the House and referred to the Consideration of the Committee for Publick Claimes to Examine the Subject Matter thereof and report the Same with their Opinions therein to y<sup>e</sup> house

The Petition of *William Kemball* praying an Allowance as Interpreter to the *Sapony* and other Indians was read and referred to the consideration of the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinions therein to the House

A Grievance from the County of *Norfolk* was read and referred to the Consideration of the Com<sup>tee</sup> of Propositions and Greivances to report their Opinions therein—

The Petition of *Harry Beverley* and others desireing a Law may be passed for building a Bridge over the *Dragon* Swamp was read and referred to the Consideration of the Committee of Propositions and Greivances to report their Opinions therein—

Mr *Eskridge* from the Committee of Elections and Priviledges reported that the Said Committee had taken into consideration the Severall Returnes on Some of the writts committed to them and therein had come to Severall resolutions which he read in his place and then delivered them in at the Table where being again read the House took the Same into immediate consideration and part of the Said report being agreed to with an Amendment—

*Resolved* That Mr *William Randolph* and Mr *John Bolling* are duely returned Burgeses to Serve in this present Gen<sup>l</sup> Affsembly for the County of *Henrico*—

*Resolved* That Mr *Edward Goodrich* and Mr *Robert Hall* are duly returned Burgeffes to Serve in this present Generall Affsembly for the County of *Prince George*—

*Resolved*

*Resolved.* That Mr *Henry Harrison* and Mr *Samuel Thompson* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Surry*—

*Resolved.* That Mr *William Bridger* and Mr *Arthur Smith* are duly returned Burgeff<sup>s</sup> to Serve in this present Gen<sup>l</sup> Affembly for the County of *Isle of Wight*—

*Resolved.* That Mr *John Lear* and Mr *James Reddick* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Nanfemond*

*Resolved.* That Mr *William Crafford* and Mr *Willis Wilson* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Norfolke*.

*Resolved.* That Mr *Maximilian Boush* and Mr *Horatio Woodhouse* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Princes Anne*—.

*Resolved.* That Mr *Henry Jenkins* and Mr *Thomas Wyth* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Elizab. City*.

*Resolved* That Mr *William Cole* and Mr *Cole Diggs* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Warwick*.

*Resolved.* That Mr<sup>s</sup> *William Barbar* and Mr<sup>s</sup> *James Burwell* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *York*.

*Resolved* That Mr<sup>s</sup> *William Broadnax* and Mr<sup>s</sup> *George Marrable* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *James City*—

*Resolved.* That Mr<sup>s</sup> *John Stith* and Mr<sup>s</sup> *Francis Hardyman* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Charles City*—

*Resolved.* That Mr<sup>s</sup> *Nicholas Merrywether* and Mr<sup>s</sup> *John Stanup* are duly returned Burgeffes to Serve in this present Gen<sup>l</sup> Affembly for the County of *New Kent*.

*Resolved* That Mr<sup>s</sup> *Thomas Johnson* and Mr<sup>s</sup> *Orlando Jones* are duly returned Burgeffes to Serve in this present Gen<sup>l</sup> Affembly for the County of *King William*.

*Resolved.* That Mr<sup>s</sup> *John Baylor* and Mr<sup>s</sup> *George Braxton* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *King and Queen*—.

*Resolved.* That Mr<sup>s</sup> *Gawin Corbin* and Mr<sup>s</sup> *John Grymes* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Middlejex*

*Resolved* That Mr<sup>s</sup> *John Hawkins* and Mr<sup>s</sup> *William Daingerfield* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Effjex*

*Resolved.* That Mr<sup>s</sup> *William Woodbridge* and Mr<sup>s</sup> *Thomas Griffin* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Richmond*—

*Resolved* That Mr<sup>s</sup> *Daniel McCarty* and Mr<sup>s</sup> *George Ejfride* are duly returned Burgeff<sup>s</sup> to Serve in this present Gen<sup>l</sup> Affembly for the County of *Westmoreland*

*Resolved* That Mr<sup>s</sup> *Edwin Conway* and Mr<sup>s</sup> *James Ball* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Lancafter*.

*Resolved.* That Mr<sup>s</sup> *Peter Presley* and Mr<sup>s</sup> *Christopher Neal* are duly returned Burgeffes to Serve in this present Generall Affembly for the County of *Northumberland*

*Resolved* That Mr<sup>s</sup> *Archybald Blair* is duly returned a Burgefs to Serve in this p<sup>r</sup>sent Generall Affembly for *James Town*—

*Resolved* That Mr<sup>s</sup> *John Custis* is duly returned a Burgefs to Serve in this present Generall Affembly for the Colledge of *William and Mary*—

*Ordered.* That the Committee of Elections and Priviledges inquire into the right the President and Mafters have to Elect a Burgefs for the Said Colledge and report the Same to this Houfe—

*Ordered* That the Consideration of the report of the Said Committee made on the Return of the Writt for Election of Burgeffes for the County of *Glocefter* be referred—

*Resolved* That the Return of the writt for Election of Burgeffes in the County of *Stafford* is not made according to Law And therefore

*Ordered.*—That the Sherriif or Under Sherriif of the Said County do appear to amend the Said Return on this day fortnight at fartheft of which the Burgeffes of the Said County promife to give the Said Sherif notice—

And then the Houfe adjourned til *Monday Morning Ten a Clock.*—

*Monday*



Monday April. 28<sup>th</sup> 1718

**T**HOMAS Eldridge having resigned his Commiſſion of Clerk of the Houſe of Burgeſſes and John Randolph having taken the Oathes by Law appointed and Subſcribed the Teſt, was by virtue of a Commiſſion from the hon<sup>ble</sup> the Liev<sup>t</sup> Governour Sworn Clerk in his Stead & admitted to his place in the Houſe accordingly.—

A Meſſage from the Hon<sup>ble</sup> the Liev<sup>t</sup> Govern<sup>r</sup> by Mr Robertſon—

Mr Speaker

I am commanded by the Governour to lay before this Houſe his Maſteys Additionall Inſtructions concerning paſſing of Laws which may affect the Trade and Shipping of Great Brittain, His Maſteys Order in Council for repealing the Acts made for preventing frauds in Tobacco payments and for the better regulation of the Indian Trade, as alſo the Preliminaries neceſſary to be conceded by the Indians of the five nations to the Govern<sup>t</sup> of Virginia before any formall Treaty for renewing the Covenant Chain, being Severall Papers referred to by his Honours Speech to this Houſe which were read and ordered to lay on the Table—

*Reſolved.* That this Houſe will take the Said Papers into conſideration to morrow with the Governours Speech.

Then the Houſe adjourned til to morrow Morning Ten a Clock

Tueſday April 29<sup>th</sup> 1718

**T**HE Petition of Richard Buckner late Clerk of the Houſe of Burgeſſes praying to be allowed for four Copies of the Journalls of the laſt Affembly, and, four Copies of the Lawes delivered to the Governour and alſo for One Copy of the Laws given into the Secretaries Office was read—

*Ordered* That the Said Petition be referred to the Conſideration of the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinions thereon to the Houſe—

Severall Publick Claimes from the Countys of

Surry.....Stafford

Elizab: City.....Accomack

were preſented to the Houſe and referred to the Conſideration of the Committee for Publick Claimes to Examine the Subject Matter thereof and report the Same with their Opinion thereon to the Houſe—

The Claimes of John Broadnax Keeper of the Country goal were preſented to the Houſe and referred to the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinion thereon to the Houſe—

*Reſolved.* That the Return of the writt for Election of Burgeſſes in the County of Glouceſter is illegally made and.

The Houſe being informed that the Sherif of the Said County attended at the Door and prayed to be admitted to amend his return

*Ordered.* That the Said Sherrif be admitted to the Barr of the Houſe and that he amend his Said return, and being admitted accordingly amended his Return and then withdrew—

Severall other Members took the Oathes and made and Subſcribed the Declaration and took the Oath of Abjuration according to the Lawes made for thoſe purpoſes.—

The Houſe according to Order proceeded to take into conſideration the Governours Speech and the Same being read.—

Upon a Motion made—

*Reſolved* That this Houſe will reſolve it Self into a Committee of the whole houſe to conſider the Said Speech, And the Houſe accordingly Reſolved it Self into the Said Committee

Committee and after Some time Spent therein Mr *Speaker* resumed the Chair and Mr *Randolph* reported from the Said Committee that they had come to Some resolutions which he read in his place and delivered in at the Table. where the Same were again read And (with Some amendments) agreed unto by the Houfe and are as follows *viz*’.

*Resolved* That that part of the Governours Speech relating to the Disposal of the Bank of Money in the Publick Treasury be referred to be considered after the Treasurers Accounts are laid before this Houfe—

*Resolved* That an Address be prepared giving the Governr the Thanks of the Houfe for the kind Expressions in his Speech whereby he hath Signified his Disposition to keep up a good Understanding with the Houfe and to assure his Honor that this Houfe Sincerely Desires to Second that intention of his, and for answering Such other parts of the Said Speech as are proper to be answered by way of Address without first coming to Resolutions thereupon and to Acquaint his Honour that this Houfe will use the utmost of their Diligence in answering the Said Speech—

Then Mr *Randolph* acquainted the Houfe That the Committee of the whole Houfe had directed him to move for leave to Sit again to consider further of the Governrs Speech And thereupon—

*Resolved* That the Houfe will again resolve it Self into a Committee of the whole houfe to consider further of the Said Speech—

*Ordered* That Mr *Treasurer* lay before the Houfe Accounts of the money in the Publick Treasury on *Thursday* next

*Ordered* That the Com<sup>tee</sup> of Propositions and Greivances do prepare and bring in an Address to the Governr according to the Resolution of the Houfe.

Severall Greivances from the Countys of

*Prince George* . . . . . *New Kent*

*Charles City* . . . . . *King & Queen*

*James City* . . . . . *Middlesex*

*Northampton*

being refer’d from the Council were read and refer’d to the consideration of the Com<sup>tee</sup> of Propositions and Greivances to report their Opinion therein—

Propositions from the County of *King William* to revive the late Act made for preventing frauds in Tobacco payments with Some Amendments, being refer’d from the Council were read and upon a motion.

*Ordered* That the said Propositions be rejected.

The Petition of *Henry Briggs* praying an Allowance as being Interpreter to the *Nottoway*. *Maherin* and *Nanjemond* Indians being refer’d from the Council was read and refer’d to the Committee for Publick Claimes to Examine the Matter thereof and report the Same with their Opinion thereon to the Houfe—

The Petition of *James Adams* praying an allowance as having been Interpreter to the *Pomonkey* and *Chichohominy* Indians Two yeares and a half, being refer’d from the Council was read and referr’d to the Com<sup>tee</sup> for Publick Claimes to Examine the matter thereof and report the Same with their Opinion thereon to the Houfe—

Mr *Eskridge* from the Com<sup>tee</sup> of Elections and Priviledges reported that the Said Committee had taken into consideration Severall matters to them referred and therein had come to Some resolutions, which he read in his place and delivered in at the table where they were again read.

Then the Houfe proceeded to the Immediate Consideration of the Said Report and part thereof was agreed to and is as follows—

*Resolved* That Mr *Tully Robinson* and Mr *Solomon Ewele* are duly returned Burgeffes to Serve in this present Gen<sup>ll</sup> Assembly for the County of *Accomack*—

*Resolved* That Mr *Willm Waters* and Mr *Charles ffloyd* are duly returned Burgeffes to Serve in this present Generall Assembly for the County of *Northampton*—

Then upon consideration of that part of the Report of the Com<sup>tee</sup> of Elections and priviledges relating to the Right the President and Masters of the Colledge of *William* and *Mary* have to Elect a Burgefs in this present Gen<sup>ll</sup> Assembly for the Said Colledge

A Debate arising after some time spent therein

The Question was put. That the Debate be adjourned

*Resolved* in the Affirmative and thereupon

*Ordered*. That the Said Debate be reassumed to morrow at twelve A Clock—

*Ordered* That the President and Masters of the Said Colledge have Leave to be heard to morrow at the Barr of the House by Council or otherwise touching their Right to Elect a Burgees to Serve in this present Gen<sup>l</sup> Assembly for the Said Colledge—

Then the House adjourn'd til to morrow morning ten a Clock—

### *Wednesday 30<sup>th</sup> April 1718.*

THE Order of the Day being read for the President and Masters of the Colledge of *W<sup>m</sup> and Mary*, to be heard by Council or otherwise touching their Right to Elect a Burgees to Serve in this present Generall Assembly for the Said Colledge— the President of the Said Colledge was called in and heard upon that matter and then withdrew—

After a Debate and Some time Spent therein, the Question was put That the Report of the Com<sup>tee</sup> of Elections and Priviledges be agreed to—

*Resolved* In the affirmative and thereupon—

*Resolved* That Mr *John Custis* is duely Electd a Burgees to Serve in this present Generall Assembly for the Colledge of *W<sup>m</sup> and Mary*—

Mr *Orlando Jones* moving for leave to be absent from the Service of the House for Some time It is accordingly given him—

Severall Claimes from the Countys of *Princes Anne* and *Nansemond* were by Leave of the House presented and referr'd to the Committee for Publick Claimes to Examine the matter thereof and report their Opinion thereon to the House

The Petition of *Susan Allen* praying to be allowed for a Negro man killd by *David Cunnigham* in defence of himself, was by Leave of the House, presented read and referred to the Committee for Publick Claimes to Examine the matter thereof and report their Opinion therein to the House—

Then the House adjourned til to morrow morning Ten a Clock—

### *Thursday. May the first 1718*

MR *Corbin* reported from the Com<sup>tee</sup> of propositions and Greivances that they had (according to order) prepared an Address to the Govern<sup>r</sup> which he read in his place and then delivered in at the table, where the Same was again read and with Some Amendments) agreed to by the House and is as follows

*To the Hon<sup>ble</sup> Alexander Spotlwood his Majestys Leiv<sup>t</sup>. Governo<sup>r</sup> of Virginia*  
*The humble Address of the House of Burgeesses*  
*May it please yo<sup>r</sup> Honor.*

Wee his Majestys most Dutifull and Loyall Subjects the Burgeesses assembled with most thankfull hearts acknowledge the Divine Goodness for the Blessings we Enjoy in our present Peacefull and flourishing Condition

And as we have also the greatest reason to blefs the Almighty for the many benefits received under his Majestys most Auspicious Reigne So we think our Selves in Duty Bound to return our humblest thanks to his most Gracious Majesty for his great care of our Trade and Encouragement of our Manufactures upon which the welfare and happiness of this Colony in so great a measure depends.

Wee acknowledge the prudent Conduct of the Government, by whose wholesome Councils and Endeavours the happynefs and tranquility of our Country hath been So wisely preserved—

Wee

Wee return Yo<sup>r</sup> Honour our hearty thanks for the kind Expreffion of your Difpofition to keep up a good underftanding with this Houfe and do affure you that nothing on our parts fhall be wanting to Second Yo<sup>r</sup> good Intention which Wee hope may be Improved by our mutual Endeavours to Redrefs our juft Greivances, to Secure our Antient Rights and Priviledges and to Eftablifh Such a harmony in our proceedings as may fhew to lateft pofterity, That all Repentments are Sacrificed to the Publick Intereft And we further affure Yo<sup>r</sup> Honour That wee will with the utmoft diligence and applycation take into our Confideration the other parts of your Speech that relate to thofe Papers you were pleafed to lay before us

*Ordered* That the Said Addrefs be fairly tranfcribed and Signed by Mr *Speaker*.

*Ordered* That the Committee of Propofitions and Grievances and for Publick Claimes p<sup>r</sup>efent the Same to the Governour—

Then the Houfe adjourned til to morrow morning ten a Clock

*Fryday May the 2<sup>d</sup> 1718*

**M**R *Crafford* and Mr *Braxton* moving for leave to be abfent from the Service of the Houfe til *Tuefday* next

It is accordingly granted them—

Mr *Conoway* moving for leave to be abfent from the Service of the Houfe til *Thurfday* next it is accordingly granted him—

The Petition of *Thomas Cufhis* praying to be allowed for tranfporting three Runaway Negro's over *Chesapeake* Bay to *Elizabeth City* was (by the Leave of the Houfe) prefented and read.—

*Ordered* That the Said Petition be refer'd to the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinion thereon to the Houfe—

The Petition of *Miles Cary* praying to be allowed for three Copys of the State of the Publick Tobacco Accounts of the laft Seffion was by leave of the Houfe prefented read and referred to the Committee for Publick Claimes to Examine the matter thereof and report the Same with their Opinion thereon to the Houfe.

Severall Greivances from the County of *Accomack* being referr'd from the Council were read and referr'd to the Com<sup>tee</sup> of Propofitions and Grievances to report their Opinions therein—

Mr *Corbin* from the Com<sup>tee</sup> of Propofitions and Grievances reported that the Said Committee had taken into confideration Severall of the matters to them referred and therein had come to Some refolution which he read in his place and deliver'd in at the Table where being again read the Houfe proceeded to the Immediate confideration of the Same—

And upon confideration of the report of the faid Committee made upon the Greivance from *Richmond* County for dividing the Said County

The Houfe agreed to the faid report *viz*.

*Resolved*. That the Same be rejected—

And upon confideration of the report of the faid Committee made on the Grievance from *Norfolk* County for afcertaining the Price of Pitch and Tarr for payment of Publick Levys.

The Houfe agreed to the Said report *viz*.

*Resolved*. That the fame be rejected.

And upon confideration of that part of the Greivance of the Countys of *New Kent* *Middlefex*, *Norfolk*. *Charles City*, *James City* and *King* and *Queen* for afcertaining Secretariys, Sherifs, Clerks and other Offycers fees.

The Houfe agreed to the Said report *viz*.

*Resolved*. That a Bill be prepared and bro<sup>t</sup> in to afcertain the Said fees.

*Ordered*

*Ordered.* That it be referred to the Committee of Propositions and Greivances to prepare and bring in the Said Bill—

And upon confideration of the report of the Said Committee made on the Greivance from *King* and *Queen* relating to Surveyors of the Highwayes complaining of their having been fined without ever being Sumoned or heard before a Justice and that the Law relating to Highwayes may be amended—

The Houfe agreed to the Said report *viz'*.

*Resolved.* That the Same be rejected.

And upon confideration of the report of the Said Committee made on the Greivance from the Said County relating to Slips and Seconds Also upon confideration of the report of the Said Committee made on the Greivance from the Said County relating to the Shipping of Tobacco Stalks and Stems

The Houfe agreed to the faid report *viz'*.

*Resolved.* That the Same be rejected—

And upon confideration of the report of the Said Committee made on the Proposition from *King* and *Queen* and *Middlesex*.

That Lawyers fees be added to the Bill of Cofts

The Houfe agreed to the Said report *viz'*.

*Resolved.* That the Same is reasonable. And thereupon

*Ordered* That it be added to the Bill for afcertaining Offycers fees.

And upon confideration of the report of the faid Committee made on the Greivance from *Prince George* County for the better regulating the Parifhes of *Weftopher* and *Weynoak*.

The Houfe agreed to the Said report *viz'*.

*Resolved.* That a Bill be prepared and brought in to confolidate thofe parts of the faid Parifhes on the South fide *James* River with the Parifh of *Merchants Brandon*—

*Ordered* That it be ferr'd to M<sup>r</sup>. *Harrifon*, M<sup>r</sup>. *Stiuh*, M<sup>r</sup>. *Hardyman* M<sup>r</sup>. *Goodrich* and M<sup>r</sup>. *Hall* to prepare and bring in the Said Bill—

And upon confideration of the report of the Said Committee made on a Greivance from *Charles City* County for Enlarging the Bounds of *Weftopher Parifh*.

After a Debate the Queftion was put.

That the Report of the Said Committee be agreed to

It paff in the Negative. And thereupon

*Resolved.* That the Said Greivance be rejected.

And upon confideration of the report of the faid Committee made on a Greivance from *Charles City* County for inlarging the faid County

The Houfe agreed to the faid report *viz'*.

*Resolved* That the Same be rejected

M<sup>r</sup> *Corbin* acquainted the Houfe That the Addrefs of this Houfe had been prefented to the Governour and that he was pleafed to return the following Anfwer Tell your Houfe of Burgeffs I give 'em thanks for their Addrefs—

The Petition of *Michael Meggifon* praying to be Enabled to Sell certaine Lands devifed to him in Tail in confideration of Setling other Lands of greater value to the Same Ufes was by leave of the Houfe prefented and read—

*Ordered.* That it be referred to M<sup>r</sup>. *Willis*, M<sup>r</sup>. *Buckner* and M<sup>r</sup>. *Merrywether* to Examine the Subject matter of the Said Petition and report the Same with their Opinion thereon to the Houfe—

The Houfe *Resolved* it Self into a Committee of the whole Houfe to confider further of the Govern<sup>r</sup>s Speech, And after Some time Spent therein M<sup>r</sup> *Speaker* refumed the Chair and M<sup>r</sup> *Randolph* reported from the Said Committee That they had come to a Refolution which he read in his place and delivered in at the Table where the Same was again read and agreed unto by the Houfe and is as follows.

*Resolved.* That an Addrefs be prepared to the Governour defireing him to inform the Houfe in what manner the Indians *viz'* the Norward have fhewn a Difpofition to break

break the Covenant made with them by the Lord *Howard* and that he will cause the Said Covenant to be laid before the House with what other Engagements has been Entred into with the Indians for the Welfare of this Country And that he will also be pleased to Inform this House what Expensive and fatiguing Expeditions he has undertaken purely for the Countrys Service with the Charge thereof—

Then Mr *Randolph* acquainted the House that the Committee of the whole House had directed him to move for leave to Sit again to consider further of the Govern<sup>r</sup>s Speech. And thereupon—

*Resolved.* That the House will again resolve it Self into a Committee of the whole house to consider further of the Said Speech—

*Ordered* That the Com<sup>tee</sup> of Propositions and Greivances prepare the Said Address to the Governour—

Mr *Treasurer* according to order laid before the House his Accounts of the Publick Revenue

*Ordered.* That Mr *Corbin* Mr *Grymes* Mr *Harriſon*, Mr *Baylor* and Mr *Bolling* Examine the Said Accounts and report there opinion thereon to the House—

Then the House adjourned til to morrow morning ten a Clock

### *Saturday May the 3<sup>d</sup> 1718*

**M**R *Corbin* reported from the Committee of Propositions and Greivances That they had (according to order) prepared an Address to the Govern<sup>r</sup> which he delivered in at the Table, where the Same was read and agreed to by the House and is as follows—

*To the Hon<sup>ble</sup> Alexander Spotſwood his Majeſtys Leiv<sup>t</sup> Gov<sup>r</sup> of Virginia—*

*The humble Address of the House of Burgeſſes.*

*May it please yo<sup>r</sup> Hon<sup>r</sup>.*

Wee his Majeſtys moſt Dutifull and Loyall Subjects the Burgeſſes affembled having taken into our conſideration that part of your Speech relating to the Indians Do humbly intreat yo<sup>r</sup> Hon<sup>rs</sup> will be pleaſed to inform this Houſe in what manner thoſe to the Nor<sup>w</sup>ard of this Country have ſhewn A Diſpoſition to break the Covenant made with them by the Lord *Howard* And that you will pleaſe to order the Said Covenant to be laid before us; Together with what other Engagements have been entred into with the Indians for the welfare of this Country—

And we further deſire your Honour will be pleaſed to informe this Houſe. what Expensive and fatiguing Expeditions you have undertaken purely for the Service of this Colony together with the Charges thereof—

*Ordered* That the Said Address be fairly tranſcribed and Signed by Mr *Speaker*

*Ordered* That Mr *Miles Cary* attend the Committee appoynted for Examining the Treafurers Accounts as Clerk to the Said Committee—

The Houſe being informed that the Under Sherrif of *Stafford* attended at the Door and prayed to be admitted to amend the Returne of the writt for Election of Burgeſſes for the ſaid County.

*Ordered* That the Said Under ſherif be admitted to the Barr of the Houſe to amend the ſaid return, and being admitted he amended the Same and then withdrew

Then the Houſe adjourned til *Monday* Morning Ten a Clock

### *Monday May the fifth 1718*

**M**R *Speaker* and Twenty Members mett and adjourned the Houſe til to morrow morning ten a Clock

*Tuesday*

*Tuesday May the Sixth 1718*

**O**RDERED That the Committees of propositions and Greivances and for Publick Claimes present the Address of *Saturday* laft to the Governr

Mr *Corbin* reported from the Committee of Propositions and Greivances

That the Said Committee had taken into their confideration Severall of the matters to them referred and therein had come to Some resolutions which he read in his place and delivered in at the Table where the Same was again read

Then the Houfe proceeded to the immediate confideration thereof

And upon confideration of the Report of the Said Committee made on that part of the Greivances from *James City* and *New Kent* Countys for Setting Idle People to work and preventing Diforders from Lewd women—

The Houfe agreed to the Said report *viz*:

*Resolved* That a Bill be prepared accordingly

*Ordered* That the Committee of Propositions and Greivances prepare and bring in the Said Bill—

And upon confideration of the Report of the faid Committee made on the Propositions from *James City* County for payment of Jurys that Serve on Lands—

The Houfe agreed to the faid Report *viz*:

*Resolved*. That the Same be rejected.

And upon confideration of the report of the faid Committee made on the Greivances from *Prince George*, *New Kent* and *James City* Countys relating to the Poft Office

The Houfe agreed to the faid report *viz*:

*Resolved* That the great Abufes that hath been committed in the Adminiftration of the Said Office ought to be redreffed, and that a Bill be prepared accordingly.

*Ordered* That the Committee of Propositions and Greivances prepare and bring in the Said Bill

And upon confideration of the Report of the faid Committee made upon Infpecting the Journalls of the laft Affembly and upon the Propositions from *King* and *Queen Charles City* and *Prince George* Countys for payment of Burgefles

The Houfe agreed to the faid Report *viz*:

*Resolved* That One hundred pounds of Tobacco ꝑ *Diem* be paid to Each Burgefes for his attendance on the Affembly. And that a Bill be prepared accordingly—

*Ordered* That the Committee for Publick Claimes prepare and bring in the Said Bill—

Mr *Goodrich* reported That the perfons appointed had according to Order prepared a Bill to Divide thofe parts of the parifhes of *Weftover* and *Weynoak* which lye on the South Side *James River* from thofe parts of the faid Parifhes which lye on the North Side the Said River and for Uniting *Weftopher* and *Weynoak* parifhes on the Southfide *James River* to *Martin Brandon* Parifh in the County of *Prince George* and for making *Charles City* County One intire parifh which he prefented to the Houfe and the Same was received and read the firft time and ordered to be read a Second time.

The Houfe refolved itfelf into a Committee of the whole Houfe to confider further of the Governours Speech And after fome time Spent therein Mr *Speaker* refumed the Chair and Mr *Randolph* reported from the Said Com<sup>tee</sup> That they had come to Some resolutions which he read in his place and then delivered in at the Table where the Same was again read.

*Ordered* That the Said report be taken into confideration to morrow

Then the Houfe adjourned til to morrow morning ten a Clock.

*Wednesday. May the Seventh 1718*

**T**HE Petition of *Chicheley Corbin Thacker* praying an Allowance as Clerk of the Secretarys Office as ufual being referred from the Council was read and referr'd to the Committee for Publick Claimes to Examine the Same and make report thereof with their Opinion thereon to the Houfe—

The Petition of *William Cocke* Esq<sup>r</sup> Secretary praying an Allowance for twenty Seven

Seven writts for Election of Burgeffes iffued out of his Office according to Law being referr'd from the Council was read and referred to the Com<sup>tee</sup> for Publick Claimes to Examine the Same and make report thereof with their Opinion thereon to the Houfe—

The Petition of *Richard Hickman* Setting forth that he was Employed to write a Copy of the Lawes made in the year 1711 for the ufe of the Generall Court and praying to be Allowed for the Same was prefented to the Houfe and read

*Ordered* That the Said Petition be rejected.

The Memoriall of *John Tullit* containing Propofalls to Erect an Iron work in this Colony being referr'd from the Council, was read and referred to the Committee of Propofitions and Greivances to Examine the Same and make report thereof with their Opinion thereon to the Houfe—

The Houfe according to Order proceeded to the confideration of the report of the Committee of the whole Houfe made on Yefterday—

After a Debate—The Houfe agreed to the Said report with Some Amendments as follows.

*Resolved* That an Addrefs be prepared to the Governour giving him thanks for communicating to this Houfe the Inftitution mentioned in his Speech and to Defire him to lay before this Houfe the Commiffion under the Great Seal of *Great Brittain* whereby the Governour Council and Affembly of this Dominion are Impowered to make Laws Statutes and Ordinances for the Publick Peace welfare and good Government thereof—

*Resolved*. That the Indian Company have Leave til *Monday* next to lay before this Houfe an Account of the Charges and Expence they have been at for the Publick Benefit of this Country.

*Resolved* That at this time the Houfe is not acquainted with any Abufes in the Indian Trade which want regulation—

*Ordered*. That the Committee of Propofitions and Greivances prepare the Said Addrefs—

Mr *Harrifon* reported from the Committee for Publick Claimes that they had (according to order) prepared a Bill to repeal part of an A<sup>c</sup>t intituled *an A<sup>c</sup>t for regulating the Election of Burgeffes for fetling their Priviledges and for afcertaining their Allowance and for Leffening the faid Allowance* which he prefented to the Houfe and the Same being received was read—

Upon a motion the Queftion was put.

That the Said Bill be read a Second time

It paff in the Negative And thereupon

*Ordered*. That the Said Bill be rejected

Mr *Diggs* moving for leave to be abfent from the Service of the Houfe a few daies It is accordingly granted him.

Then the Houfe adjourned til to morrow morning Ten a Clock

*Thursday May the 8<sup>th</sup> 1718.*

MR *Corbin* acquainted the Houfe that the perfons appoynted had according to Order prefented the Addrefs of *Saturday* laft to the Governour and that he was pleafed to return the following Anfwer.

Tell the Houfe That whatever Enquirys they fhall think fit to make into my Publick Tranfactions will alwaies be acceptable to me— This Addrefs will Occafion my laying before the Houfe Severall Papers and as foon as I can get them prepared they fhall be fent down to you—

Mr *Corbin* reported that the Committee of propofitions and Greivances had according to order prepared an Addrefs to the Governour which he delivered in at the Table where being read the Houfe proceeded to the Confideration thereof

And



And after a Debate the Queftion was put

That the Said Addrefs be agreed to without Amendments

*Resolved.* In the affirmative. Which Addrefs is as follows.

*To the Hon<sup>ble</sup> Alexander Spotfwood his Majeftys Liev. Governr. of Virginia*

*The humble Addrefs of the Houfe of Burgeffes.—*

*May it please yo<sup>r</sup>. Hon<sup>r</sup>.*

Wee his Majeftys moft Dutifull and Loyall Subjects the Burgeffs affembled Do return Yo<sup>r</sup> Hon<sup>r</sup>. our humble Thanks for communicating to this Houfe the Inftitution from his Majefty menconed in your Speech at the Opening of this Seflion And alfo for communicating to this Houfe the Order of his Majefty in Council of the One and thirtieth of *July* laft which Order mentions A Commiffion und<sup>r</sup> the Great Seal of *Great Brittain* whereby the Govern<sup>r</sup>. Council and Affembly of this Dominion are Impowered to make Lawes Statutes and Ordinances for the Publick Peace welfare and good Government thereof

Wee humbly defire yo<sup>r</sup> Honour will be pleaſed to order the Said Commiffion to be laid before this Houfe—

*Ordered* That the Said Addrefs be fairly tranſcribed and Signed by Mr *Speaker* and that the Committee of Propoſitions and Grievances and for Publick Claimes preſent the Same to the Governour

A written meſſage from the Governour & Council by Mr *Robertſon*—

*Mr Speaker and Gentlemen of the Houfe of Burgeffes*

The Governour and Council having received a Petition from *Mofes Price* One of the Soldiers liſted here for the aſſiſtance of *South Carolina* and thereupon thought fit to take his Examination in writing touching the Uſage he and the other *Virginia* Soldiers mett with from that Government think the Caſe of the Petitioner and the other Inhabitants of this Colony engaged in the Same Service worthy of the conſideration of your Houfe

The Government here has not been wanting to make the proper applications to *South Carolina* to perſwade that Government to the performance of their Articles but all to no purpoſe—And finding how little Juſtice was to be Expected there. The Govern<sup>r</sup>. has fully repreſented the Caſe to the Right Hon<sup>ble</sup> the Lords Commiſſrs for Trade and hath received an Anſwer, that their Lordſhips have laid it before his Majeſty But in regard many of the poor men who went into the Service of *Carolina* being diſappointed of the Advantages promiſed them are brought thereby into very hard Circumſtances, the widdowes and Orphans of Such as dyed in that Service reduced to poverty, And Debtors and Servants yet detained or Suffered to Stay (contrary to the Exprefs words of the Treaty) in that Province without any Remittances made for the Satisfaction of their Creditors and Maſters—The Governour and Council recommend to the conſideration of your Houfe to take Some meaſures for the preſent releif of thoſe who thus Suffer on account of the Governm<sup>t</sup> of *South Carolinas* Breach of faith until his Majeſty ſhall be pleaſed to order Juſtice to be done therein—

*May the 7<sup>th</sup> 1718*

By ord<sup>r</sup> of the Govern<sup>r</sup> and Council

*Wil Robertſon Cl. G. Aff<sup>ly</sup>—*

*Ordered* That the Said Meſſage be taken into conſideration to morrow—

Mr *Corbin* reported that the Committee of Propoſitions & Greivances had according to Order prepared a Bill for Setling the fees of the Secretary County Court Clerks. Sherifs Coroner and Conſtables & for aſcertaining the fees of Attorneys to be allowed in a Bill of Coſts As alſo declaring the power of the Secretary in appoynteing Court Clerks which he preſented to the Houfe and the Same being read the firſt time—

*Ordered* That it be read a Second time—

Mr *Corbin* reported that the perſons appointed had (according to Order) Examined the Treafurers Accounts with the Vouchers and that the Same did agree

*Ordered* That the Treafurer make Oath to the Said Accounts to the End they may be paſt.

A Bill to Divide those parts of the Parishes of *Westopher* and *Weynoak* which lye on the South Side of *James* River from those parts of the Said Parishes which lye on the North Side the Said River and for Uniting *Westopher* and *Weynoak* Parishes on the South Side *James* River to *Martin Brandon* Parish in the County of *Prince George* and for making *Charles City* County One intire Parish was read a Second time and an Amendment being made therein—

*Ordered* That the Said Bill with the Amendment be ingrossed—

Upon a motion of Mr *Hawkins* a Member of this House he has leave to be absent til *Thursday* next.—

Then the House adjourned til to morrow morning ten a Clock.—

## *Fryday May the 9<sup>th</sup> 1718*

**M**R *Treasurers* Accounts the Ballance whereof due to the Country being Eight Thousand five hundred forty Six pounds Seven pence half penny passed the House—

*Ordered.* That the Committee for Publick Claimes carrye the Same to the Council for their Assent.

Mr *Corbin* acquainted the House that the persons appointed (had (according to order) presented the Address of Yesterday to the Governour and that he was pleased to Say he would lay before the House the Commiission they desired

Upon a motion made the House was called over And thereupon

*Ordered.* That Mr *Cole* be Sent for in Custody of the Meffinger to answer his Default in not attending the Service of the House according to his Duty and that Mr *Speaker* Issue his warrant accordingly.

The Petition of *William Hatt* Setting forth that he has a Curious Picture of his Majesty King *George* and propofing to Sell the Same to this House was presented and read.—

*Ordered* That the Said Petition be rejected

The Petition of *Chicheley Corbin Thacker* Setting forth that a Copy of the Lawes made in the year 1711 belonging to the Secretarys Office was loft and that he had Employed *Richard Hickman* to write another Copy of the Same and praying that the Said *Hickman* might be allowed accordingly was presented to the House and read.

*Ordered* That the Said Petition be referred to the Committee for Publick Claimes to Examine the Same and make report thereof with their Opinion thereon to the House—

Mr *Corbin* reported that the Committee of Propositions and Greivances had according to order prepared a Bill for the better Secureing the payment of Levys and for the punishment of lewd and Idle People which he presented to the House, and the Same being read the first time—

*Ordered* That it be read a Second time—

Mr *Corbin* from the Committee of Propositions and Greivances reported That they had taken into consideration the Memorial of *John Tullit* containing propofalls for Erecting an Iron work in this Colony and therein had come to Some resolutions which he read in his place and delivered in at the Table where being again read the House proceeded to the consideration of the Same—

And after a Debate the Question was put.

That the report of the Said Committee be agreed to

It paft in the Negative And thereupon

*Ordered.* That the Said Propofalls be rejected

Mr *Harrison* acquainted the House that the Committee for Publick Claimes could not proceed to finish the Book of Claimes for want of the book of Proportions of the last Affembly

*Ordered*

*Ordered* That the Clerk of the Gen<sup>l</sup> Affembly the Clerk of the Houfe and the Clerks of the Severall Committees make diligent Search for the Same in their Offyces and make report to this Houfe in writing on *Monday* next—

A Bill for Settling the fees of the Secretary, County Court Clerks, Sherifs Coroner and Conftables and for afcertaining the fees of Attorneys to be Allowed in a Bill of Cofts—As alfo declaring the power of the Secretary in appointing County Court Clerks was read a Second time and Some Amendments being made therein—

*Ordered* That the Said Bill with the Amendments be ingroffed—

A written Meffage from the Hon<sup>ble</sup> the Liev<sup>t</sup> Govern<sup>r</sup> by Mr *Robertfon*—

*Mr Speaker and Gentlemen of the Houfe of Burgeffes*

In Anfwer to Yo<sup>r</sup> Addrefs prefented to me on the 6<sup>th</sup> Infant I now lay before you the Treaty made by the Lord *Howard* with the Northern Indians, and Sundry late transactions with them by which and the letters herewith Sent it will appear That they infist upon renewing their former Treaty and Expect it fhould be done by Commiffioners Sent for that purpofe to meet them at *Albany*

If you confider the Articles of Peace made with our Tributarys in 1677. approved by the Sovereign and confirmed by A<sup>ct</sup> of Affembly it will not be Denied but that they are Entituled to the Protection of the Government and that whoever attacks them may very Juftly be faid to break w<sup>th</sup> us. That the five Nations have fhewed fomewhat more than a Difpofition to fall on thefe Tributarys will plainly appear from the Papers I now lay before you—

Whatever people may think of the infult committed by the Northern Indians laft year at *Chriftnanna* the falling on the *Cattawbaws* under the protection of that fort at a time when in Compliance with their Engagements to this Government they were delivering up Hoftages, the Surety pledges which could be defired for their future fidelity to the *Brittish* Intereft—And when trufting to the Publick faith for their Security they had delivered up their Armes—If no regard were due to the perfon of the Governour then prefent is Surely a very great affront to the Government it Self and a Breach of the Treaty with my Lord *Howard*, Since by it the Northern Indians are Obliged not only to forbear any A<sup>ct</sup> of Hoftility againft *English* or Indians within this Colony but are Exprefly refrain'd from coming near the *English* Settlements

But whatever your Sentiments fhall be of the Difpofition of the Northern Indians or the Expediency or indifferency of renewing the Covenant Chain with them; if the Government can be acquitted of the Confequences I fhall have no reafon to be under any apprehenfions and having given you my opinion I fhall acquiefce in yours —

That you may have under your confideration at once the whole State of the Indians affaires I think it neceffary to lay before you Some Treaty's made with our Tributarys intended as a Barrier to the Country againft foreign Incurfions And if thefe Tributarys had all of them Complied with their Engagements I cannot but think your frontiers might have been constantly provided with a Standing Guard at a very moderate Expence But the *Saponys* are the only Nation that has Submitted to remove to a new Settlement and to abandon that Nation when they are threatned by their Northern Enemy's (befides the Imputation it will Caft on the Government for breach of faith) may be attended with ill Confequences and from the Stricteft Friends may make thofe Indians our moft dangerous Enemy's—

I cannot but at the Same time recommend to your Care the Eleven Hoftages delivered up to this Government by the *Cattawbaw* Indians and their Allies which have hitherto been Supported by the late Indian Company Thefe are the Pledges you have for the friendfhipp of A confiderable People the neareft Neighbours to your Frontiers of any of the Southern Nations And Seeing the Indian Trade is now open for all the Inhabitants of this Colony and the moft Valueable part of it carryed on through the Townes of thofe Indians I Leave it to your Confideration whether the keeping or returning thefe Hoftages be moft likely to preferve the good Underftanding which is Now Eftablifhed with thofe Indians and tend to the Security of the Inhabitants of their Trade—

As to that part of your Address which relates to the Expeditions I have undertaken purely for the Service of the Country thô the Journall I keep of all my Movements has Enabled me to lay before you A particular Account of my Travells yet I keep no Diary of my Expences: But the Gentlemen of the Country who have accompanied me Doubt not can inform you that I have alwaies kept up the Dignity of your Governour—

And in answr to yo<sup>r</sup> Address of this Day I send you the Govern<sup>r</sup> of *Virginia's* Patent which I take to be the Commiffion und the Great Seal mençoned in his Majeftys Order in Council for repealing the Acts of Affembly

May the 9<sup>th</sup> 1718

*A Spotfwood*

The Patent mentioned in the said meffage was read and thereupon.

*Ordered* That the Committees of Propositions and Greivances and for Publick Claimes do Return the Same to the Governour with the most humble Thanks of this Houfe for his favour in caufing it to be Laid before them—

*Resolved.* That the said meffage be taken into confideration on *Monday* next

*Resolved.* That the written meffage from the Govern<sup>r</sup> and Council to this Houfe Yefterday be taken into confideration to morrow—

Upon the Motion of Mr *Stith* he has leave to be abfent from the Service of the Houfe til *Tuefday* next.—

Upon the Motion of Mr *Bolling* he has leave to be abfent from the Service of the Houfe til *Wednesday* next

Upon the Motion of Mr *Waters* he has leave to be abfent from the Service of the Houfe til *Monday* next.

Then the Houfe adjourned til to morrow morning Ten a Clock—

### *Saturday May the 10<sup>th</sup> 1718*

**R**ESOLVED That the confideration of the written meffage from the Governour and Council to this Houfe on *Thurfday* laft be referred til *Tuefday* next

An Ingroffed Bill intituled *an Act to divide thofe parts of the Pariſhes of Weftopher and Weynoak which lye on the South Side of James River from thofe parts of the Said Pariſhes which lye on the North Side the Said River and for Uniting Weftopher and Weynoak Pariſhes on the South Side James River to Martin Brandon Pariſh in the County of Prince George and for making Charles City County One intire Pariſh* was read the third time

*Resolved* Upon the Queſtion

That the Bill do paſs

*Ordered* That the perſons who prepared the Said Bill Do carrye the Same to the Council and defire their Concurrence thereto.

Upon the motion of Mr *Griffin* he has Leave to be abfent from the Service of the Houfe til *Thurfday* next.

Then the Houfe adjourned til *Monday* Morning ten a Clock

### *Monday May y<sup>e</sup> 12<sup>th</sup> 1718*

**A** BILL for the better Secureing the payment of Levys and for the puniſhment of Lewd and Idle People was read a Second time—

Upon a motion made—

*Ordered* That the Said Bill be committed to the committee the [that] prepared it for amendments

The Order of the Day for taking into Confideration the Meffage from the Hon<sup>ble</sup> the Liev<sup>t</sup> Governour on *fryday* laft being read

Upon a Motion made

*Resolved*

*Resolved* That the House will on *Wednesday* next resolve it Self into a Committee of the whole house to consider the Said Message—

The House being informed that Mr *Cole* (who is in Custody of the Messenger) was ready to attend the Service of the House.

*Ordered* That he be Discharged out of Custody paying fees and that he be admitted to take his place in the House—

The Clerk of the Generall Assembly the Clerk of the House of Burgesses and the Clerks of the Severall Committees according to order reported That they had made diligent Search in their Offices for the book of Proportions of the last Assembly, but that the same could not be found

*Ordered* That Mr *Richard Buckner* late Clerk of the House of Burgesses be Sent for in custody of the Messenger as well to give an account of the said Book of Proportions as to answer to Such other things as this House shall require of him and that Mr *Speaker* do Issue his Warrant accordingly

*Ordered.* That Mr *Corbin* Mr *Harrison* and Mr *Conway* do inspect the Journalls of the Last Assembly and inquire into the transactions of Mr *Buckner* late Clerk of the House of Burgesses and make report thereof to this House and that Mr *Miles Cary* attend them as Clerk.—

Then the House adjourned til to morrow morning ten a Clock.

### *Tuesday. May the 13<sup>th</sup> 1718*

MR *Willis* reported That the persons appointed had according to Order Examined the Subject matter of the Petition of *Michael Megginson* and that they found the Same to be true And thereupon—

*Ordered* That the Said *Michael Megginson* have leave to bring in a Bill according to the Prayer of his Petition—

Mr *Corbin* reported That the Committee of Propositions and Greivances had according to Order prepared a Bill for preventing Abuses in the Post Office which he presented to the House and the Same being read the first time

*Ordered* That it be read a Second time

Mr *Corbin* from the Committee of Propositions and Greivances reported That the Said Com<sup>tee</sup> had taken into their consideration Severall of the matters to them referred and therein had come to Some resolutions which he read in his Place and delivered in at the Table where being again read the House proceeded to the consideration of the Same.

And upon consideration of the report of the said Committee made on the proposition from the Countys of *New Kent* and *Accomack* for enlarging the Allowance for Destroying of Wolves.

The House agreed to the Said report. *viz*!

*Resolved* That the Said Proposition be rejected

And upon consideration of the report of the Said Committee made on the Proposition from *New Kent* for Clearing *Pomonkey* River

The House agreed to the said report *viz*!

*Resolved.* That the Said Proposition be rejected.

And upon consideration of the report of the Said Committee made on the Proposition from *New Kent* for appointing Publick places for the payment of Tobacco

The House agreed to the Said report *viz*!

*Resolved* That the Said Proposition be rejected

And upon consideration of the Petition of Mr *Beverley* and others for making a Bridge over the *Dragon* Swamp.

The House agreed to the said report *viz*!

*Resolved* That a Bill be brought in to Impower Mr *Beverley* and the other Subscribers to build Such Bridge at a place comonly called the *Muscel* shell and to require the Courts of *King* and *Queen* and *Middlesex* to lay out convenient roades thereto.

*Ordered*

Ordered That Mr Corbin, Mr Grymes, Mr Baylor, and Mr Braxton prepare and bring in the Said Bill and that Mr Cary attend them as Clerk—

And upon consideration of the report of the said Committee made on the Proposition from King and Queen relating to the Said Bridge

The House agreed to the Said report viz:

Resolved. That the Said Proposition be rejected

And upon consideration of the report of the Said Committee made in these words.

“On consideration of the Greivance and Proposition from James City and Prince George and upon Inspecting the Journals of the last House of Burgeffes

“It appears to this Committee That Mr Thomas Butts being in custody of the Messinger of that House made his Escape in Breach of their Priviledges which is Submitted to “the Consideration of this House—

After a Debate the Question was put

That Mr Speaker Issue his warrant to the Messinger of this House to take the Said Thomas Butts into Custody to answer the Said Escape

It past in the Negative

And upon consideration of the report of the Said Committee made on the Proposition from Northampton for prohibiting the Exportation of old Iron

The House agreed to the said report viz!

Resolved That the Said Proposition be rejected

And upon consideration of the report of the Said Committee made on the Proposition from Northampton and Accomack for Justices of the Peace determining Causes amounting to ffour hundred pounds of Tobacco or forty shillings in money

The House agreed to the Said report viz!

Resolved That the Said Proposition be rejected

On consideration of the Proposition from Northampton for laying Six pounds per Cent on Tobacco Cask.

The House agreed to the said report viz!

Resolved That the Said Proposition be rejected

And upon consideration of the report of the Said Committee made on the Proposition from Northampton to prohibite free Negroes or Mulattoes from Entertaining Slaves—

The House agreed to the Said report viz!

Resolved. That the said Proposition be rejected being already provided for by Law—

And upon consideration of the report of the said Committee made on the Proposition from Northampton that the Lawes of this Colony may be put in print and Expofed to Publick Sale in every County.

The House agreed to the said report viz!

Resolved That the Same be referred to the consideration of the next Assembly.

And upon consideration of the report of the Said Committee made on the Proposition from Accomack for a reward for killing Squirrells & Crowes

The House agreed to the Said report viz!

Resolved That the Said proposition be rejected

And upon consideration of the report of the said Com<sup>tee</sup> made on the proposition from Northampton That all free Negro and Mulatto women may pay double taxes

The House agreed to the Said report viz!

Resolved That the Said Proposition be rejected—

An Ingrossed Bill for settling the fees of the Secretary, County Court Clerks Sheriffs Coroner and Conftables and for ascertaining the fees of Attorneys to be allowed in a Bill of Cofts as also declaring the power of the Secretary in appointing County Court Clerks. was read a third time

Resolved That the Said Bill do pass

Ordered That the Com<sup>tee</sup> of propositions & Greivances do carrye the Same to the Council and desire their Concurrence thereto—

A Message from the Council by Mr Robertfon

That

That the Council had passed the Treasurers Account which the Govern<sup>r</sup> had affented to

Propositions from the County of *New Kent* for the better payment of Publick Dues Levys and Small Debts being refer'd from the Council was read

*Resolved.* That the said proposition be rejected

The House proceeded to the consideration of the written Message from the Govern<sup>r</sup> and Council. And thereupon

*Ordered* That it be referred to M<sup>r</sup> *Randolph*, M<sup>r</sup> *Grymes*, M<sup>r</sup> *Blair* and M<sup>r</sup> *Jenkins* to prepare an Answer to the Said Message and report the Same to this House and that M<sup>r</sup> *Miles Cary* attend them as Clerk—

Upon a Motion made after a Debate the Question was put That the House Resolve it Self into a Com<sup>tee</sup> of the whole house to consider further of the Governours Speech—

*Resolved* In the affirmative—And thereupon—

*Resolved.* That M<sup>r</sup> *Randolph* do take the Chair of the Said Committee

And the House accordingly resolved it Self into a Committee of the whole House and after Some time Spent therein—

M<sup>r</sup> *Speaker* resumed the Chair and M<sup>r</sup> *Randolph* reported That the Said Committee had had under their consideration a Paragraph of the Governours Speech and the Instruction menconed therein and that they had come to Some resolutions which he read in his place and delivered in at the Table where the same was again read—

Then M<sup>r</sup> *Randolph* acquainted the House That the Committee of the whole House had directed him to move for leave to Sit again to consider further of the Govern<sup>r</sup>s Speech and thereupon—

*Resolved* That the House will again resolve it Self into a Committee of the whole house to consider further of the Said Speech.

*Resolved* That the consideration of the Said report be referr'd til to morrow.

The Indian Company according to leave given them laid before the House their Acco<sup>ts</sup>—

*Ordered.* That the Said Accounts do lye upon the Table for the Perusall of the Members of the House—.

The Petition of *William Waters* and *Charles floyd* Representatives for the County of *Northampton* praying Leave in behalf of themselves and the other Inhabitants of the Said County to bring in a Bill for appointing the Court day of the Said County on the Second *Tuesday* in each Month was presented to the House and read.

*Ordered* That they have leave to bring in a Bill according to the prayer of the 1<sup>st</sup> Petition

Then the House adjourned til tomorrow morning ten a Clock.—

### *Wednesday May the 14<sup>th</sup> 1718*

UPON a motion made the House was called over And thereupon.

*Ordered.* That M<sup>r</sup> *Stith*, M<sup>r</sup> *Thompson* M<sup>r</sup> *Barber*, M<sup>r</sup> *Johnson*, M<sup>r</sup> *Jones*, M<sup>r</sup> *Waters* M<sup>r</sup> *floyd* and M<sup>r</sup> *Ewele* be taken into Custody of the Messinger to answer their Default in not attending the Service of the House according to their Duty and that M<sup>r</sup> *Speaker* issue his warrant accordingly.

M<sup>r</sup> *Corbin* reported. That the Committee of Propositions and Greivances to whom the Bill (for the better Secureing the Payment of Levys and for the Punishment of Lewd and Idle People) was committed for Amendments had made Some Amendments therein which being received were read and agreed to by the House—

*Ordered* That the Said Bill with the Amendments be Ingrossed—

M<sup>r</sup> *Corbin* from the Committee of Propositions and Greivances reported that the Said Committee had taken into their Consideration Severall of the Matters to them referred and

and therein had come to Some resolutions which he delivered in at the Table and being read the House proceeded to the consideration thereof—

And upon consideration of the report of the Said Committee made on the Greivances from *Prince George* and *James City* Countys. That unufuall Judges have been appointed to try his Majestys Subjects here for their lives contrary to antient practice and that his Majesty be Addressed for releif therein—

After a Debate the Question was put That the report of the Said Committee be agreed to

*Resolved* in the Affirmative and thereupon

*Resolved*—That an humble Address to his Majesty be prepared accordingly—

And upon consideration of the report of the Said Committee made on the Proposition from *Prince George* County, That the Governour in Cheif may reside in this Colony.

The House agreed to the Said Report *viz*.

*Resolved* That the Said Proposition be rejected.

The House being informed that Mr *Stith*, Mr *Thompson*, Mr *Barber*, Mr *Johnson*, Mr *Jones*, Mr *Waters* Mr *floyd* and Mr *Ewele* (who are in custody of the Messinger) are ready to attend the Service of the House—

*Ordered* That they be discharged out of Custody paying fees and that they be admitted to take their places in the House

The Resolve being read That the House would this day resolve itself into A Committee of the whole house to consider the written Message from the Governour.

The Question was put

That the House do now resolve it self into a Committee of the whole House to consider the Said Message—

*Resolved*. In the Affirmative—And thereupon

*Resolved* That Mr *Randolph* do take the Chair of the Said Committee

The House accordingly resolved it self into a Committee of the whole House and after Some time Spent therein Mr *Speaker* resumed the Chair and Mr *Randolph* reported that the Said Committee had had under their consideration Some parts of the Governours message with the Papers therein mentioned—but not having time to go thro the Said message had directed him to move for leave to Sit again. And thereupon.

*Resolved*. That the House will again resolve it Self into a Committee of the whole House to morrow to consider further of the Said message—

The House (according to order) proceeded to the consideration of the report of the Committee of the whole house on Yesterday and part thereof was agreed to with an Amendment as follows.

*Resolved*. That an Address be prepared to his Majesty beSeeching him to recall his Additional Instruction whereby he has Signified his will and pleasure that the Governour do not for the future pass any Act which may affect the trade or Shipping of *Great Britain* until it has been approved by him his heirs or Successors And that he will be pleased to permit his Governour here to Pass any Act that shall by the Generall Assembly be thought for the Service of his Majesty and this Government in the manner as hath been usual—

*Ordered*. That the Committee of Propositions and Greivances prepare an Address to his Majesty according to the purport of the Resolutions afore mentioned—

And upon consideration of the other part of the report of the Said Committee for appointing an Agent to Solicite in *Great Britain* the affaires of this Country.

After a Debate the Question was put.

That the said report be agreed to

*Resolved*. In the affirmative. And thereupon.

*Resolved* That a Bill be prepared accordingly.

*Ordered*. That the Committee of Propositions and Greivances prepare and bring in the Said Bill

A Bill for preventing Abuses in the Post Office was read a Second time

*Ordered*. That the Said Bill be ingrossed—



Mr *Waters* acquainted the House that the persons to whom Leave was given to bring in a Bill for altering the Day for *Northampton* County Court had prepared the Same which he presented to the house—

And being read the first time was ordered to be read a Second time

Then the House adjourned til to morrow morning ten a Clock

*Thursday May y<sup>e</sup> 15<sup>th</sup> 1718*

MR *Willis* acquainted the House That *Michael Megginson* (according to Leave given him) had prepared a Bill Entituled a Bill to Enable *Michael Megginson* of the County of *King* and *Queen* planter to Sell certain Lands in the County of *Glocester* entailed on him and the heires of his body upon his Setling other Lands of a greater value to the Same uses which he presented to the House and the Same being read the first time was ordered to be read a Second time

Mr *Corbin* reported that the Com<sup>tee</sup> appointed had according to order inspected the Journalls of the last House of Burgeffes and enquired into the transactions of Mr *Richard Buckner* late Clerk of the said House and had prepared a Report thereupon which he read in his place and delivered in at the table

And the Same was again read.

*Ordered.* That the said report do lye on the table

Mr *Randolph* reported That the persons appointed had according to order prepared an Answer to the written Message from the Govern<sup>r</sup> and Council which he read in his place and delivered in at the table and being again read was agreed to by the House as follows.—

*By the House of Burgeffes*

*May it please yo<sup>r</sup>. Hon<sup>rs</sup>:*

The House of Burgeffes having had under their consideration yo<sup>r</sup> Hon<sup>rs</sup> message with the Petition and Examination of *Moses Price* are Surprized at the unjust Treatment of the Government of *South Carolina* to the Soldiers Lifted here for their Assistance. And we acknowledge the Representation thereof made by the Govern<sup>r</sup> to the R<sup>l</sup> Hon<sup>ble</sup> the Lords Commiss<sup>rs</sup> for trade to be founded on reason and Justice upon which Representation Wee humbly hope his Majesty will be gratio<sup>usly</sup> pleased to Signifye his pleasure and that thereafter the Government of *South Carolina* tho<sup>ugh</sup> they are regardless of the Treaty concluded by their Commiss<sup>rs</sup> with this Government will at least Submit to the Order of their Sovereigne which we doubt not will be agreeable w<sup>ith</sup> Justice—

We are of Opinion that it would be a hardship on this Government to make good the Treaty broke by the Government of *South Carolina* and therefore Wee cant agree to releive those who Suffer on Account of their Breach of faith—

*Ordered.* That the Said Message be fairly transcribed and signed by the Clerk and that Mr *Randolph* Mr *Grymes*, Mr *Blair*, Mr *Jenkins*, Mr *Burwell*, Mr *Custis*, Mr *Stith*, Mr *Fitzhugh* Mr *Cole*, Mr *Ball*, Mr *Hardyman* and Mr *Woodbridge* carrye the Same to the Governour and Council—

Upon the motion of Mr *Escribde* he has Leave to be absent from the Service of the House til *Wednesday* next

Upon the motion of Mr *Mason* and Mr *Fitzhugh* they have leave to be absent from the Service of the House til *Thursday* next.

A Bill for altering the Day for *Northampton* County Court was read a Second time And upon a motion the question was put.

That the Said Bill be Ingrossed

*Resolved* in the affirmative And thereupon

*Ordered* That the Said Bill be Ingrossed

The Memoriall and Accounts of the Indian Comp<sup>a</sup> were read and Ordered to be referred to the confideration of the Committee of the whole Houfe to which the further confideration of the Governours Speech is referred—

The Houfe according to order refolved it Self again into a Com<sup>tee</sup> of the whole Houfe to confider further of the written meffage from the Govern<sup>r</sup>. And after Some time Spent therein M<sup>r</sup> *Speaker* refumed the Chair and M<sup>r</sup> *Randolph* reported that the Said Committee had further confidered the Govern<sup>rs</sup> Meffage but not having time to finifh it had directed him to move for leave to Sit again and thereupon.—

*Refolved* That the Houfe will again refolve it Self into a Committee of the whole Houfe to morrow to confider further of the Said Meffage—

An Ingroffed Bill for the better Secureing the payment of Levys and for the punishment of Lewd and Idle people was read the third time

*Refolved* That the Said Bill Do pafs—

*Ordered* That the Committee of Propofitions and Greivances do carrye the Said Bill to the Council and defire their Concurrence thereto—

Then the Houfe adjourned til to morrow morning ten a Clock.

### *Fryday. May the 16<sup>th</sup> 1718*

**M**R *Corbin* reported that the perfons appointed had according to ord<sup>r</sup> prepared a Bill to Impower *Harry Beverley* and others to build a Bridge over the *Dragon* Swamp which he prefented to the Houfe and the Same being read the first time was ordered to be read a Second time—

M<sup>r</sup> *Corbin* from the Committee of Propofitions and Greivances reported That the Said Committee had according to Order prepared a Bill declaring the method for apoynting an Agent to Sollicite the Affaires of this Colony in *Great Brittain* which he prefented to the Houfe and the Same being read the first time was ordered to be read a Second time

An Ingroffed Bill for preventing Abufes in the Poft Office was read the third time.

*Refolved.* That the Said Bill do pafs—

*Ordered* That the Committee of Propofitions and Greivances do carrye the faid Bill to the Council and defire their Concurrence thereto

The Petition of *Chicheley Corbin Thacker* praying as well in behalf of the Publick as of *Henry Thacker* Orphan and Devisee of *Henry Thacker* late of *Middlefex* deceased a Bridge over the *Dragon* Swamp may be built at *Kings* or *Wares* and not at the *Muffel Shell* according to the Petition of *Harry Beverley* and others was p<sup>r</sup>efented to the Houfe and read—

*Ordered.* That the faid Petition be referred to be confidered til the Bill to Impower *Harry Beverley* and others to build a Bridge over the *Dragon* Swamp is read a Second time—

A Bill to Enable *Michael Meggifon* of the County of *King* and *Queen* Planter to Sell certain lands in the County of *Gloucefter* entailed on him and the heires of his Body upon his Setling other Lands of a greater value to the Same Ufes was read the Second time—

*Ordered* That the Said Bill be Ingroffed—

The Houfe according to Order Refolved it Self again into a Committee of the whole houfe to confider further of the Govern<sup>rs</sup> Meffage and after Some time Spent therein M<sup>r</sup> *Speaker* refumed the Chair and M<sup>r</sup> *Randolph* from the Said Com<sup>tee</sup> reported That having gone thro the Govern<sup>rs</sup> meffage they had come to Severall refolutions which he read in his place.

*Refolved* That the Same be confidered to morrow

A Meffage from the Council by M<sup>r</sup> *Robertfon*

That the Council have agreed to the Bill Entituled *an Act for fetling the fees of the Secretary County Court Clerks Sherifs Coroner and Conftables and for afcertaining the fees*

*frees of Attorneys to be allowed in a Bill of Costs as also declaring the power of the Secretary in appointing County Court Clerks with Some Amendments to which they desire the Concurrence of this House*

Mr *Blair* having moved for leave presented to the House a Bill for better regulating the ferry over the River *Chichahominy* near the mouth thereof—

And the Same being received was read the first time and Ordered to be read a Second time—

Upon the motion of Mr *Grymes* and Mr *Diggs* they have Leave to be absent from the Service of the House to morrow

Then the House adjourned til to morrow morning Ten a Clock.—

### *Saturday May the 17<sup>th</sup> 1718.*

UPON the motion of Mr *Jones* and Mr *Barber* they have leave to be absent from the House on *Monday* next.

Upon the motion of Mr *With* and Mr *Jenkins* they have leave to be absent from the Service of the House til *Wednesday* next.

A written Message from the Hon<sup>ble</sup> the Lieut. Govern<sup>r</sup> and Council by Mr *Robinson* Mr *Speaker* and Gentlemen of the House of Burgeffes

On consideration of the Claim of *John Hughes* herewith Sent you the Governour and Council think fit to Set the Services therein mençoned in a true Light that you may the better Judge thereof. The Ranging Service for which this Claim is made was not directed by the Government but only permitted on the Application of the Inhabitants of the upper parts of *James River* And the Claimant at their Desire appointed their Offcyer but without giving them any other promise of Reward than what the Assembly should think fitt That the Claimant did rang as is Set forth in his Claime is past Dispute. And if his So doing was of Service to the Country it is hoped that your House will give him a Suitable Reward.

The other part of his Claim being for conveying a *Cattabaw* Indian Woman from the place where she was taken up to *Christanna*

The Govern<sup>r</sup> and Council think fit to acquaint you that this Woman was taken Prisoner from *Christanna* in *April 1717* by the Northern Indians and carryed to the *Mohacks* Country. and is the Same which Mr *Christopher Smith* was Sent to *Albany* to reclaime as is mentioned in his tranfactions there now before your House after having made her Escape from thence and layn upwards of five Months in the Woods she came in almost famished to a Plantation on the head of *James river* and was taken care of by the Claimant Her being made Prisoner while the Indians of her Nation were under the Protection of this Government made it necessary for the Government to take care of Sending her back to them And as by that Act of Justice and humanity the friendship of those Indians to this Government will undoubtedly be increased the Service which the Claimant did therein is therefore recommended to the consideration of your House

*May the 16<sup>th</sup> 1718* By ord<sup>r</sup> of the Govern<sup>r</sup> and Council *Wil Robertson*. Cl Gen<sup>r</sup> Ass<sup>ys</sup>

Ordered. That the said Message be referred to the consideration of the Committee for Publick Claimes and that they report their Opinion thereon to the House

A Message from the Council by Mr *Robertson*

That the Council have agreed to the Bill intituled *an Act to divide those parts of the parishes of Westtopher and Weynoak which lye on the South Side of James River from those parts of the Said Parishes which lye on the North Side the Said river and for uniting Westtopher and Weynoak Parishes on the South James River to Martin Brandon Parish in the County of Prince George and for making Charles City County One intire Parish* with an Amendment to which they desired the Concurrence of this House—

The House proceeded to the consideration of the Said Amendment And the Same being read was agreed to

*Ordered*

*Ordered.* That the Said Amendment be added to the Bill and that the persons who prepared the Said Bill do carrye the Same to the Council & acquaint them this Houfe have agreed to the Amendment Ppofed thereto—

The Houfe proceeded to the confideration of the Amendments propofed by the Council to the Bill intituled *an Act for Settling the ffes of the Secretary County Court Clerks Sheriffs Coroner and Conftables and for afcertaining the ffes of Attornys to be allowed in a Bill of Cofts. As alfo declaring the power of the Secretary in appointing County Court Clerks* and the Same being read were agreed to by the Houfe—

*Ordered.* That the Said Amendments be inferted in the Bill and that the Com<sup>tee</sup> of Propofitions and Greivances do carrye the Same to the Council and acquaint them this Houfe have agreed to the Amendments propofed thereto

*Refolved* That the report of the Committee of the whole Houfe, referred to be confidered on this Day be confidered on *Monday* next.

Then the Houfe adjourned til *Monday* morning ten a Clock

### *Monday. May the 19<sup>th</sup> 1718*

**A** BILL for better regulating the fferry over the River *Chichehominy* near the Mouth thereof was read a Second time And

Upon a Motion made

That the Said Bill be committed for Amendments

*Refolved* in the affirmative And thereupon

*Ordered.* That the Said Bill be committed to Mr *Blair* Mr *Marable* Mr *Broadnax* and Mr *Cuftis* to amend the Same

The Petition of *Thomas Barrett* praying that the Bill for better regulating the fferry over the River *Chickahominy* near the mouth thereof may be committed for Amendments was prefented to the Houfe and read.

*Ordered.* That the Said Petition be rejected

A Claime of *Clement Lattimore* was by Leave of the Houfe prefented and referred to the Com<sup>tee</sup> for Publick Claimes to Examine the Same and report their Opinion thereon to the Houfe—

An Ingroffed Bill for altering the Day of *Northampton* County Court was read the third time

Upon a motion made. The Queftion was put

That the Bill do pafs—

It paff in the Negative and thereupon

*Ordered.* That the Same be Rejected

An Ingroffed Bill to Enable *Michael Meggijon* of the County of *King* and *Queen* Planter to fell certain lands in the County of *Glocefter* Entailed on him and the heires of his Body upon his Settling other Lands of a greater Value to the Same Ufes was read the third time

*Refolved.* That the Said Bill do pafs—

*Ordered.* That Mr *Willis* Mr *Merrywether* Mr *Stith* and Mr *Ewele* carrye the Same to the Council and defire their Concurrence thereto

A Bill declaring the method for appointing an Agent to Sollicite the affaires of this Colony in *Great Brittain* was read the Second time

*Ordered* That the Said Bill be ingroffed

A Bill to Impower *Harry Beverley* and others to Build a Bridge over the *Dragon* Swamp was read the Second time. And

Upon confideration of the Petition of *Chicheley Corbin Thacker* relating thereto The Queftion was put. That the Said Bill be ingroffed

*Refolved* in the affirmative And thereupon

*Ordered.* That the Same be Ingroffed

A Return being made on the Warrant Iffued by the Speaker for the taking Mr. *Richard Buckner* into Custody that he was not to be found And it appearing to the House that the person Sent to Execute the Same had been very negligent

Upon a motion The Messinger was called to the Barr of the House and Reprimanded by the Speaker and ordered to Execute the Said Warr<sup>t</sup>: himself—

*Resolved.* That the report of the Committee of the whole House referred to be considered on this Day be considered to morrow

Then the House adjourned til to morrow morning Ten a Clock

*Tuesday May the 20<sup>th</sup> 1718*

THE House according to order proceeded to the consideration of the report of the Com<sup>tee</sup> of the whole house made on the Govern<sup>r</sup>:s Message and the Same being read was agreed unto as follows.—

*Resolved.* That an Address be prepared to the Governour giving him thanks for laying before this House the Severall Papers mentioned in his Message

*Resolved* That the Governour by the Said Address be acquainted that Since the Treatys with the Northern Indians have been heretofore made by the Governour and Council So this House do Submitt it to the Governour and Council to determine what further measures shall be taken to preserve the friendship of those Indians.

*Resolved* That it is the Opinion of this House that as the *Sapony* Indians have hitherto remained in Peace under the Protection of this Government So wee have no reason to doubt but the Same power that hath hitherto Screen'd them from Injustice will still protect them in the Same manner as other Tributary Indians are—

*Resolved* That it is the Opinion of this House That the Hostages delivered up by the *Cattawbaw* Indians are no advantage or Security to this Government and that therefore they be returned in Such manner as will best preserve a good Understanding with those Indians.—

*Resolved.* That thanks be given the Governour for informing this House of his many fatiguing Journeys and that if they were purely for the Service of the Country the Sallary he receives by his Majestys favour is a Recompense for the Same.

*Ordered* That the Com<sup>tee</sup> of Propositions and Greivances prepare the Address to the Governour as aforesaid—

Propofalls for founding Scholarships in the Colledge of *William and Mary* were presented to the House and read

*Ordered* That the Said Propofalls lye on the Table.

Upon a Motion made

The House according to Leave resolved it Self into a Committee of the whole house to consider further of the Governours Speech And after Some time Spent therein Mr. *Speaker* resumed the Chair and Mr. *Randolph* reported from the Said Committee That they had had under their consideration those parts of the Governours Speech which were not before considered with the Memoriall and Accounts of the Indian Company and had come to Some resolutions thereupon which he read in his place and delivered in at the table and the Same being again read—

*Ordered* That the said report be considered to morrow—

Then the House adjourned til to morrow morning ten a Clock.—

*Wednesday y<sup>e</sup> 21<sup>th</sup> May 1718*

UPON a motion—

*Ordered.* That the Committee for Publick Claimes be revived the Same being discontinued

Mr. *Corbin* reported that the persons appointed to Examine the Treasurers Accounts had also Examined the Accounts and Vouchers of Mr. *Holloway* and Mr. *Clayton* for which warrants mentioned in the Treasurers Accounts were past and that they had drawn

drawn a Scheme of the Severall Summes of money paid thereupon. which they Submitted to the consideration of the house and the Same was delivered in at the table and read—

*Ordered* That the Said Scheme lye on the table and be considered to morrow

A written Message from the Council by Mr *Robertson*

*M<sup>r</sup> Speaker and Gent<sup>ls</sup> of the House of Burgeesses—*

The Government being under Engagements for Reimburfing Some of the Charges Expended by the late Indian Company think it necessary to acquaint you that they are preparing a message to Set that matter in a clear light for the consideration of yo<sup>r</sup> House.—

May the 20<sup>th</sup> 1718

By ord<sup>r</sup> of the Council

*Wil Robertson* Cl Gen Ass<sup>ly</sup>

A Message from the Council by Mr *Robertson* That the Council had passed the Bill intituled *an Act to divide those parts of the parishes of Westopher and Weynoak which lye on the South side of James River from those parts of the said parishes which lye on the North side the said River and for Uniting Westopher and Weynoak parishes on the South Side James River to Martin Brandon parish in the County of Prince George and for making Charles City County One intire parish* as amended. As also that the Council had passed the Bill Entituled *an Act for Selling the fees of the Secretary County Court Clerks Sherifs Coroner and Constables and for ascertaining the fees of Attorneys to be Allowed in a Bill of Cofts* as amended.—

*Ordered* That the Said Bill be inrolled.

An Ingrossed Bill to Impower *Harry Beverley* and others to build a Bridge over the *Dragon Swamp* was read the third time

*Resolved*. That the Said Bill do pass—

*Ordered*. That the persons who prepared the said Bill do carrye the Same to the Council and desire their Concurrence thereto—

An Ingrossed Bill declaring the method for appointing an Agent to Sollicite the Affaires of this Colony in *Great Brittain* was read the third time—

*Resolved* That the Said Bill do pass.

*Ordered* That the Committee of Propositions and Greivances and for Publick Claimes do carrye the Same to the Council and desire their Concurrence thereto

The House according to Order proceeded to the consideration of the Report of the Committee of the whole house made on those parts of the Governours Speech which were not before considered And the Memoriall and Accounts of the Indian Company and the Same being read part thereof was disagreed to by the House and part thereof agreed to with Amendments as follows.

*Resolved* That the Sume of One hundred pounds advanced by the late Indian Comp<sup>a</sup> towards building a Publick Magazine be repaid the Said Company out of the Publick moneys in the Treasurers hands.

*Resolved* That the Severall Summes of money menconed in the Account of the late Indian Company Except that for the Magazine do not appear to have been Expended for the Benefit of this Colony therefore this House agree that the Same be not allowed—

*Resolved* That the Treasurer of this Dominion be Impowered to put to Interest out of the Publick money in his hands for the Space of One Year any Sume or Summes not Exceeding ffour thousand pounds at the rate of four P Cent. per Annum and that he be permitted to take to himself the One half of Such Interest for his trouble and hazard in being answerable for Such money to be put to Interest as aforesaid—

*Resolved* That a Bill be prepared accordingly

*Resolved* That there be paid to M<sup>r</sup> *Archibald Blair* the Summe of ffour thous<sup>d</sup> pounds upon his giving good and Sufficient Security out of the publick money in the Treasurers hands and that he be Impowered to put out the Same or any part thereof to Interest at the rate of four P Cent. per annum and be allowed One half of Such Interest in consideration that he be chargeable for all bad Debts which shall happen to be made in Lending the Said money not including the Interest.—

*Resolved*

*Resolved.* That the Same be added to the Bill for Impowering the Treasurer to put to Interest out of the publick money in his hands for the Space of One year any Sume or Sumes not Exceeding four thousand pounds as afore<sup>d</sup>

Ordered That the Committee of Propositions and Greivances prepare and bring in the said Bill

A written meffage from the Council by Mr. *Robertson*.

Mr *Speaker and Gentlemen of the House of Burgeffes*.

Upon the repeal of the *Act for the better regulation of the Indian Trade* It naturally fell under the consideration of the Government how to Supply those Services which the late Indian Company were obliged to perform during the continuance of that Act. As the ffort of *Christanna* had been Judged by former Affemblys to be of Such Consequence to the Publick Safety as to have particular provision made for keeping it up for Twenty yeares. We thought it Improper to take upon us the giving orders for Slighting that fort without the Concurrence of the Same authority by which it was Eftablished and more especially at a time when we had reason to apprehend our ffrontiers in Some Danger from the Behaviour of the Northern Indians and the murthers committed on Some of his Majeftys Subjects on *Roanoak River*—

The *Cattawbaw* Indians having after their Rupture with *South Carolina* made an Offer to this Government to ceafe all Hoftilities and live in Peace for the future with all the Kings Subjects And as a testimony of their Intention to perform that Engagement offering to deliver into the hands of this Government a Number of their Children as Hoftages. These were accordingly delivered and had been kept at *Christanna* at the Charge of the late Company til its Diffolution.

Wee were apprehenfive that the Sending back the Hoftages would be looked upon as a Declaration that we could have no longer any Correspondence with those Indians the Consequences whereof might have been fatal at a time when by laying open the Indian Trade So many of the people of this Colony might reasonably be Expected to go to their Townes and be thereby Expofed to their Refentment To have removed the Hoftages to any other place might have given the like Umbrage to the Indians nor could they be Safe without the ffort from the Stragglng Partys of the *Senequas* and *Tufcaruroes* who continually range along that Quarter in their marches to the *Tufcarudo* Townes.—

Upon these confiderations wee were induced to defire the late Indian Company to profecute the work they had begun for making *Christanna* more defensible and to keep up the Same Guard which the Affembly had Enjoyed and to keep the Indian Hoftages until this Affembly fhould determine concerning both—

Thus we look upon the Publick faith of the Government engaged for the repayment of what Charges the Said Indian Company have Expended in purfuanee of our refolutions And as we acted therein from no private Views but purely out of regard to the Safety of the Country and to the Honour of Affemblys which ought alwaies to be confulted before the Guard of their ffrontiers is altered or taken away. We cannot but very Earneftly recommend the matter to your confideration and herein we hope we need not put you in mind that as Affembles are not alwaies in being there is a neceffity for the Council on many occafions to give their advice and directions on particular Emergencys for the Publick Safety and when Such advice is given and purfued with a Reall intention to Serve the Country. We hope the Expence of those Services will not be Difallowed by your Houfe and therefore Wee cannot doubt your paying whatever charge the late Indian Company fhall make appear to have been expended Since their Diffolution for fortifying *Christanna*, maintaining the Guard and Supporting the Indian Hoftages.

May 21<sup>th</sup> 1718.

By order of the Council

*Wil Robertson* Cl G Affbly

*Ordered* That the Said Meffage be confidered to morrow—

The Houfe proceeded to the confideration of the propofalls for founding a Scholarfhips in the Colledge of *William and Mary* and the Same being read—

After a Debate the Queftion was put

That

That a Summe of money be given to the said Colledge—

*Resolved* In the Affirmative

Then the Question was put.

That the Summe of One Thousand pounds of the money now in the Treasurers hands be given to the Colledge of *William* and *Mary* to be disposed of as this House shall agree to Direct.

*Resolved* In the Affirmative

*Resolved* That the House will to morrow consider in what manner the f<sup>d</sup> money shall be disposed of.

Then the House adjourned til to morrow morning ten a Clock.—

## *Thursday May the 22<sup>d</sup> 1718*

**A** MESSAGE from the Govern<sup>r</sup> by M<sup>r</sup> *Robertson*  
*Mr Speaker*

I am Commanded by the Govern<sup>r</sup> to lay before your House a Letter from *Pennsylvania* with One Inclosed giving an Account of the motions of the *Senecas* against the Tributarys of this Government.

The Said Letters were read and considered and thereupon

*Ordered* That a message be sent in writing to the Govern<sup>r</sup> giving him Thanks for the Early notice he has given this House of the motions of the Indians to the Norward against the Tributarys of this Government and that he be desired to give them notice of the Same to the end they may not be Surprized by any Sudden Attack.—

A message was prepared accordingly and agreed unto by the House as follows

*By the House of Burgeffes*

*May it please yo<sup>r</sup> Hon<sup>r</sup>.*

Wee return yo<sup>r</sup> Honour our hearty thanks for yo<sup>r</sup> goodness in giving this House Such Early notice of the motions of the Indians to the Norward against the Tributarys of this Government. And having considered the Letters your Honour was pleased to lay before us we can at present think of nothing more Suitable to the Occasion than to intreat your Honour So Soon as the Same may be conveniently done to give those Indians under your protection notice of the Design which Seems to be formed against 'em to the end they may not be Surprized by any Sudden Attack—

*Ordered* That the Said Message be fairly transcribed and Signed by the Clerk and that M<sup>r</sup> *Harrison* M<sup>r</sup> *Randolph* M<sup>r</sup> *Bolling* M<sup>r</sup> *Stith* M<sup>r</sup> *Hardyman* M<sup>r</sup> *Goodrich* M<sup>r</sup> *Hall* M<sup>r</sup> *Thompson*. M<sup>r</sup> *Bridger* M<sup>r</sup> *Smith* M<sup>r</sup> *Lear* and M<sup>r</sup> *Crafford* do carrye the Same to the Governour—

M<sup>r</sup> *Blair* reported that the persons to whom the Bill for better regulating the ferry over the River *Chickahominy* near the mouth thereof was committed for Amendments, had prepared Some Amendments thereto which he delivered in at the Table And the Same being read were agreed unto by the House—

*Resolved*. That the Said Bill with the Amendments be Ingrossed—

M<sup>r</sup> *Corbin* reported that the Committee of Propositions and Greivances had according to order prepared an Address to the King which he read in his place and delivered in at the table and the Same was again read

*Resolved*. That the House will take the Said Address into consideration to morrow

The House according to order proceeded to consider in what manner the money given to the Colledge should be disposed of.

And thereupon

*Resolved* That a Bill be prepared for paying the Summe of One Thousand pounds out of the Money in the Treasurers hands to the Govern<sup>rs</sup> or Visitors of the Colledge of *William* and *Mary* by them to be disposed of in the best manner they think fit either for the Education of poor Children or for erecting Scholarships in the Said Colledge but  
that



that they be obliged to lay an account of the Disposition thereof before the Generall Affembly of this Colony

*Ordered* That M<sup>r</sup> *Custis* M<sup>r</sup> *Randolph* M<sup>r</sup> *Jones* M<sup>r</sup> *Blair* M<sup>r</sup> *Grymes* and M<sup>r</sup> *Harrison* do prepare and bring in the Said Bill

The Petition of *John Knibb* praying leave to bring in a Bill to Enable him to Sell certain Entailed Lands in consideration of Setling female Negro's of greater value to the Same Uses was presented to the House and read.

After a Debate the Question was put.

That Leave be given to bring in a Bill according to the Prayer of the said Petition  
*Resolved*. In the affirmative. And thereupon

*Ordered* That M<sup>r</sup> *Bolling* prepare and bring in the Said Bill

Upon a Motion

*Resolved*. That a written message be prepared to the Governour desiring his Honour to Informe this House whether the Governours House be finished and if not what further Summe may be necessary to be Expended in finishing the Same—.

A Message was accordingly prepared and agreed unto by the House as follows.

*By the House of Burgeffes.*

*May it please yo<sup>r</sup>. Honour.*

The House of Burgeffes humbly intreat yo<sup>r</sup> Honour to inform them whether the Governours House be finisht and if not to Signifie what further Summes of money may be necessary to be Expended in finishing the Same—

*Ordered* That the Said Message be fairly transcribed and Signed by the Clerk and that the persons appointed to Examine the Treasurers Accounts do carrye the Same to the Governour

*Resolved* That the Scheme referred to be considered to day be considered to morrow

*Resolved*. That the written message from the Council refer'd to be considered to day be taken into consideration to morrow

A written message from the Council by M<sup>r</sup> *Robertson*

M<sup>r</sup> *Speaker* and Gent<sup>l</sup>. of the House of Burgeffes.

As the Council will ever be desirous to Concurr with your House in all proper measures for the publick welfare of this Colony. So they doubt not you will have an Equal regard to the proceedings of that part of the Legislature which in the Intervall of Affemblys is entrusted with the Execution of those Laws and regulations which have been mutually agreed on by the whole—

As there have been diverse Steps taken by the Government for Some years past in pursuance of Acts of Affembly and those Steps afterwards approved by Succeeding Affemblys which Seem now to be generally mistaken as if they had been only the private resolutions of the Govern<sup>r</sup> or of the Governour and Council without the Concurrence of the Representatives of the People—Wee think it our duty not only as a part of those Affemblys which directed or approved those measures but as we were consulted and concurred therein as Members of his Majestys Council to lay before you the true grounds of those Schemes which have been form'd and put in practice for the better defence of the frontiers and Securing the friendship of our Indian Neighbors.

It cannot be forgot what Expence the Country was put to for Guarding the frontiers after the Massacre in *North Carolina* in 1711 when no less than Eleven troops of Rangers consisting of twelve men and an Officer in Each Troop was judged necessary for its Security This Extraordinary Expence continued until the Affembly in 1713 passed an Act whereby the Liev<sup>t</sup>. Governour or the Commander in Chief for the time being was Impowered to Disband as many of those Rangers as he should think fit and to apply their pay for the Succeeding year to Such other Uses as he Should judge most proper and convenient for the better Guarding and Securing the Frontiers.

In pursuance of this Trust the Governour form'd the Scheme of Setling out the Severall Nations of Tributary Indians on the frontiers (according to the Treatys now before your House) of erecting forts at their Settlements and maintaining a constant

Guard

Guard therein which should do the Duty of Rangers from the One of these Settlements to the other & thereby lessen the Charge of that Standing Guard which the Country had for Some years before maintained. As the Council then concurred in that project So they are still of Opinion it would have proved very beneficial to the Country could the Indians have been brought generally to Comply with their Articles

This also gave Occasion to the Erecting the fort of *Christanna* and the new Settlement of the *Sapony* Indians there (the only nation of our Tributarys which Submitted to perform their Treaty) A Design So well approved by the Succeeding Assembly that the necessary Supplies for furnishing that fort were not only readily granted by the House of Burgesses but provision made by a Law for Supporting it as long as it could be reasonably Supposed to remain a frontier—

That Law is Since disapproved by his Majesty and by that means the Provision made by the Assembly for maintaining without further Expence to the Country, the fort and Guard in Pursuance of the Treaty with the Indians is also dissolved and it now remains to be considered by this Assembly whether the Publick faith and Honour of the Government shall be Supported or rendered despicable even in the Eyes of the Indians—

If the tranquility which that part of the frontiers has Enjoyed Since the Erecting of that fort be compared with the constant Alarms and Incursions of Strange Indians which have hapned almost every year before, no man can with reason Say but that this Change is in a great measure owing to that Barrier which frightens foreign Indians from making Incursions (within a place the strength of which they do not know) lest they should be cut off in their Retreat—

Whatever therefore may be the Common Opinion it appears to us that this fort is usefull to Bridle the Incursions of Indian Enemys which was the end of its being Erected and we hope your House will not be of Opinion to Slight a place of that Consequence to the publick Safety. To break thro' a Treaty founded upon the Acts of former Assemblies or to abandon a Nation of Indians who have justly performed their part thereof.

Wee think it necessary in like manner to inform you that upon the generall Insurrection of the Indians against *South Carolina* in 1715 and the apprehensions of that flames spreading further this Government judged it prudence to guard against even Such remote Dangers & accordingly as Soon as Overtures of Peace had been made here by the *Cattawbaw* Indians the Governour and Council thought it necessary to Embrace the Same. And because Negotiations with Indians often prove fruitless without an Adequate Security for performance of their part it was insisted on that Hostages should be delivered by those Indians as the best Security they could give and the only one the Government could rely on to Engage their fidelity. these Hostages were accordingly delivered at *Christanna* in April 1717 and are still there. And as the prudence of the Government cannot be called in question for accepting Such pledges of a Nation Scituated nearest to us of any other of the Southern Indians and consequently more capable of giving us Disturbance at a time when the Neighbouring Province was yet involved in Warr with Some Indian Nations and their peace with others very precarious. So if by receiving these Hostages the Peace of our Neighbours has been restored our own preserved and a Security obtained for the Same So long as these Hostages remain in our hands. The Council hope Your House will not grudge that Small Expence which is necessary for continuing that Security to the Country. Especially considering that if the Indian Trade of this Colony has been Judged of Such Consequence as to occasion uneasiness in the Country on Account of its being confined to a Company the advantages which the people you Represent will receive by the Generall Liberty now allowed cannot but make you Sollicitous to Secure the Friend<sup>shipp</sup> of a Nation thro' whose Townes the most valuable part of that Commerce is carried on. But if your House shall be of Opinion for returning these Hostages. Wee hope you will Enable the Government to do it in so handsome a manner as may give no Umbrage to the Indians that their  
friendshipp

friendshipp is Slighted and thereby Expose the Inhabitants of this Colony to the Danger of their Repentment or the Loss of their Trade

By Ord<sup>r</sup> of the Council  
*Wil Robertson* C Gen. Ass<sup>ly</sup>

Ordered That the Said Message be taken into consideration to morrow  
 Then the House adjourned til to morrow morning ten a Clock—

*Fryday May y<sup>e</sup> 23<sup>d</sup> 1718*

**M**R *Harrison* reported from the Committee for Publick Claimes That the Said Committee had taken into consideration the Severall matters to them referred and therein had agreed upon Severall resolutions which they had entred in a Book called the Book of reports of the Committee for Publick Claimes which he presented to the House and the Same was received

Ordered That the Said Book of Reports lye on the Table

The Petition of *John Randolph* praying to be allowed for 20,000<sup>li</sup> of tobacco the usuall Salary of the Clerk of the House of Burgeses in money at the rate of Ten Shillings a hundred was presented to the House & read

Ordered. That the Said Petition lye on the Table and be considered with the Book of Claimes.

Mr *Corbin* reported that the persons appointed had according to Order carried the Message of this House to the Governour desiring him to inform them whether the Governours house be finisht and if not what further Sumes of money may be necessary to finish the Same And that his Honour was pleased to return the following Answer. It is not finisht and I don't know how much it will take And thereupon

Resolved. That a Committee be appointed to wait on the Governour and desire him to Shew them what further is to be done to the Governours house. To the end a Computation may be made of the Expence further necessary for finishing the Same and the other works appointed by Law and that they make report to this house in writing—

Ordered That Mr *Conoway*, Mr *Merryweather*, Mr *Bolling*, Mr *Waters*, Mr *Bush*, Mr *Jenkins*, Mr *Neal*, Mr *Blair*, Mr *Jones*, Mr *Mason*, Mr *Braxton* and Mr *Hall* do wait on the Governour accordingly.

A Message from the Council by Mr *Robertson*

That the Council have agreed to the Bill intituled *an Act to Impower Harry Beverley and others to build a Bridge over the Dragon Swamp* with Some Amendments to which they desire the Concurrence of this House—

And that the Council have agreed to the Bill intituled *an Act for preventing Abuses in the Post Office* with Some Amendments to which they desire the Concurrence of this House.—

And also that the Council have agreed to the Bill intituled *an Act to Enable Michael Meggison of the County of King and Queen Planter to Sell certain Land in the County of Gloucester Entailed on him and the heires of his Body upon his Selling other Lands of a greater Value to the Same Uses* with Some Amendments to which they desire the Concurrence of the House.—

The Orders for taking into consideration the Severall written messages from the Council on *Wednesday* and *Thursday* being read.—

Upon a motion

The House resolved it Self into a Committee of the whole House to consider the Said Messages, after Some time Spent therein Mr *Speaker* resumed the Chair and Mr *Corbin* reported from the Said Committee that they had under their consideration the Two written Messages from the Council and thereupon had come to Severall resolutions which he read in his place and delivered in at the Table and the Same was again read—

Ordered That the Said report be considered to morrow

Mr *Conoway* acquainted the Houfe that Mr *Griffin* was indisposed with the Gout and Desired leave to return home which was accordingly given him—

Upon the motion of Mr *Stanop* he has leave to be absent til *Thursday* next

*Resolved* That the confideration of the Addrefs to the King be referred til to morrow

*Resolved* That the Scheme referred to be confideration [confidered] to day be confidered on *Monday* next

Then the Houfe adjourned til to morrow morning Ten a Clock.

*Saturday. May the 24<sup>th</sup> 1718*

UPON the motion of Mr *Lear* he has leave to be absent til *Thursday* next.

Mr *Cuftis* reported that the perfons appointed had according to Order prepared a Bill for granting One Thoufand pounds out of the Publick fund for the maintaining and Educating Scholars of the Colledge of *William and Mary* which he prefented to the Houfe and the Same being read the firft time was Ordered to be read a Second time—

Mr *Eskridge* having obtained leave prefented to the Houfe a Bill to prevent Delays in Sending and prefenting Bills of Exchange to the perfons on whom the Same is drawn and for limiting the time of payment of protefted Bills and the Same being read the firft time was ordered to be read a Second time—

A Claim of *James Servant* was by leave of the Houfe prefented and referred to be confidered with the Book of Claimes—

The Petition of *Miles Cary* Clerk of the Committee for Publick Claimes praying to be allowed the Same as the Clerk of the Committee of Propofitions & Greivances was read and referred to be confidered with the Book of Claimes

Mr *Conway* acquainted the Houfe that Seven of the perfons appointed had in Obedience to the Order of the Houfe on Yefterday waited on the Governour and that he addrefst himfelf to his Honour in the following words—

“*May it please your Honour.*

“Wee are ordered by the Houfe of Burgefles to wait on yo<sup>r</sup> Honour and desire you “will be pleased to fhew us what is to be done to perfect the Buildings and other works “directed by law for the Governour of this Colony to which his Honour was pleased to “return an Anfwer.

“Tell your Houfe that I am alwaies ready to receive their meffages or Addreffes “from whatever Burgefles they fhall appoint to deliver them But if they fhall think fit “to Send any of their Members to difcourfe with me I Expect they Depute Such Gent<sup>l</sup>. “of their Houfe as declare they are for treating me with decent good manners. Some “of thofe I See here prefent being Accuftomed to Speak very irreverently of the Kings “Governours fhould I enter into Converfation with them. may perhaps forget what Houfe “they are in and be apt to fpeak to me in their ufual rude Termes—

The Houfe being informed that Mr *Waters* and Mr *Mafon* in contempt of the Order of the Houfe on Yefterday had failed to wait on the Governour.

Upon a Motion—

*Resolved* That they withdraw til the Houfe confider what may be neceffary to be done thereupon And they accordingly withdrew

*Resolved* That Mr *Waters* and Mr *Mafon* be called to the Barr of the Houfe to give their reafons why they failed to obey the Order of this Houfe on Yefterday And being called—

They made their Excufes and withdrew.

And their reafons being Judged frivolous.

*Resolved* That they be again called to the Barr of the Houfe and Reprimanded by Mr *Speaker* and that they make an Acknowledgment of their offence Which being done

*Ordered* That they be admitted to take their places in the Houfe—

Mr *Corbin* reported that the Committee of Propositions and Greivances had according to order prepared a Bill for Impowering the Treafurer of this Colony to pay and put out at Interest a Summe not Exceeding Eight Thousand pounds of the Publick money now in his hands which he presented to the house and the Same being read the first time was ordered to be read a Second time—

Upon the motion of Mr *Bridger* he has leave to be absent til *tuesday*—

The house proceeded to consider the Amendments proposed by the Council to be added to the Bill intituled *an Act to Impower Harry Beverley and others to build a Bridge over the Dragon Swamp* and the Same being read were agreed to and ordered to be Inserted in the Bill—

The House also proceeded to consider the Amendment proposed by the Council to be added to the Bill intituled *an Act to Enable Michael Meggison of the County of King and Queen Planter to Sell certain lands in the County of Glocester Entailed on him and the heires of his Body upon his Selling other Lands of a greater value to the Same uses.*—

And the Same being read was agreed to and ordered to be added to the Bill—

*Ordered* That the Committee of Propositions and Greivances carrye the said Bills to the Council and acquaint them this House has agreed to the Amendments proposed thereto—

The House according to Order proceeded to the consideration of the report of the Committee of the whole house on Yesterday and the Same being read was agreed to as follows—

*Resolved.* That the Government be not Enabled to make good their Engagements to the Indian Company for rebuilding ffort *Christianna*

*Resolved* That the Government be Enabled to make good their Engagements to the Indian Company for maintaining the Hoftages from 13<sup>th</sup> of *November* last

*Resolved* That the Government be Enabled to make good their Engagements to the Indian Company for maintaining the Guards from 13<sup>th</sup> of *Novr.* last

*Resolved* That the Government be Enabled to Send home the Hoftages now at *Christianna* in a handSome manner to preserve the friendship of those Nations

*Resolved* That it is the Opinion of this House that the keeping up and guarding ffort *Christianna* is not any Service or Security to this country.

*Resolved* That a written Message be prepared to the Council according to the Subject matter of the Said Resolves

*Ordered* That Mr *Goodrich* Mr *Blair* Mr *Grymes* and Mr *Jones* prepare the Same—

Upon consideration of the Addrefs to the King refer'd to be considered on this Day Some amendments were made therein and the House agreed to the Same as followes

*To the Kings most Excell<sup>le</sup>. Majesty The humble Addrefs of the House of Burgeffes. Most gracious Sovereign*

Wee your Majestys most Dutifull and Loyall Subjects the Burgeffes of this your antient Colony and Dominion of *Virginia* now asssembled do heartily Embrace this first Opertunity humbly to Congratulate your Sacred Majesty on the Succes of your Armes against those Dangerous Rebels who blinded with party fury made Such desperate Efforts for the Subversion of our Religion and Libertys And likewise to return our unfeigned thanks for your great Care of the Trade of our Mother Country of which Wee (tho very remote) feel the happy Influences, and do firmly beleive the present flourishing Condition of this Country is next to the Divine Goodness owing to the wisdom of your Majestys Councells and glorious Adminiftration.

Your great goodness displayed in the tender regard you shew for all your Subjects gives us boldness at this time to approach your Sacred person and most humbly to represent That the Hon<sup>ble</sup> *Alexander Spotjwood* your Majestys Lievt<sup>nt</sup> Governour pursuant to your Royall Commands hath Laid before this House your Order in Council bearing Date at *Hampton* Court the 31<sup>th</sup> of *July* 1717. And also your Royall Instruction Dated the 27<sup>th</sup> of *September* last—upon consideration of which Wee are humbly of Opinion That by the Said Instruction your Majestys Subjects may be deprived of the best means of

Raifing

Raising a Revenue for the Support of this your great and most antient Colony let the Emergency be never So great til your Royall Pleasure is known therein which through our naturall Scituation Wee conceive may prove of dangerous Consequences to the future Safety of all your good Subjects residing here.

Wherefore Wee most humbly Implore your Majesty That you will be gratiofully pleased to allow us the Liberty of making Laws for the good and Support of this Colony as formerly it being often needfull Laws should take place immediately And as the Dependance we have on Trade will alwaies make us Cautious of laying vnnecessary Burthens upon it So the Negative with which your Govern<sup>r</sup> is vested may alwaies be an Effectuall Barr thereto—

Wee further begg Leave to represent to your Majesty that the Judges of your Generall Court have from the first Settlement of this Colony had Cognizance of all Criminall Cafes which which Jurisdiction was granted to them by the Letters patents of your Majestys Royall Predecessors and confirmed to them by Act of Assembly—

And Whereas her late Majesty Queen *Ann* was pleased by her Royall Instruction to appoint Two Courts of Oyer and Terminer to be held in this Colony every year with the gracious View That all persons accused of any Crime might be brought to a Speedy Tryall. The Hon<sup>ble</sup> the Liev<sup>t</sup> Governour pursuant to the Said Instruction is Impowered to appoint in the Said Courts what Judges he pleases (Exclusive of the Constant Judges above mentioned), Nor doth he hold himself obliged So much as to take the advice of the Council in the nomination of the Said Judges whereby wee apprehend the Governour may have the lives and Estates of your Majesties good Subjects of this Colony very much in his power and will be able to defeat the Jurisdiction of your Majesties Said Generall Court whenever he shall think fit.

Therefore we most Earnestly pray That your Majesty out of your great goodness will direct by your Royall Instruction to your Governour That the Judges of your Generall Court (who being appointed by your Majesty out of the ablest and discreetest of your Subjects in this Colony, and holding their places during your Royall pleasure have alwaies with great Honour and Justice and to the generall Satisfaction of your People Discharged that great Trust) may be declared the only Justices of the Said Courts of Oyer and Terminer. Or that your Majesty will be pleased to restrain this Dangerous power in Such other manner as you in your great wisdom shall think most proper—

To you Great Sir we fly for Succour Our Safety is bound up in yours whilst you Sit Secure on the Throne of your Ancestors. the Oppressed can never want a powerful and ready Defender. And therefore for our own and Countrys sake wee shall never cease to Implore the Divine Protection over you That the Almighty would effectually give you the hearts of all your Subjects and defeat the Designs of your Enemys and continue the Crown in your truly Protestant family to all Posterity—

*Ordered* That the Said Address be fairly transcribed.

Severall Claimes from the County of *Stafford* were by Leave of the House presented and referred to be considered with the Book of Claimes—

Mr *Grymes* having obtained Leave presented to the House a Bill Impowering and requiring Sherifs Conftables and Coroners to make Sale of any goods and Chattells by any of them taken in Execution by virtue of any writt or writts of *feri facias Levare facias* or Tendred him on any *Capias ad Satisfaciendum* or taken by any Legall Distress whatsoever

And the Same was read.

After a Debate the Question was put

That the Said Bill be read a Second time

It past in the Negative. And thereupon

*Ordered.* That the Same be Rejected—

Then the House adjourned til *Monday* Morning ten a Clock.

*Monday*

*Monday May. 26<sup>th</sup> 1718*

THE Houfe proceeded to the confideration of the Amendments propofed by the Council to the Bill intituled *an Act for preventing abufes in the Poft Office* and the Same being read the Houfe agreed to the firft with no Amendment, to the Second with an Amendment and to the third Difagreed to—

*Ordered* That the Committee of Propofitions and Greivances carry the Said Bill to the Council with the Amendments and acquaint them of the proceedings of the Houfe thereon and defire their Honours Concurrence thereto—

An Ingroffed Bill for better regulating the ferry over the River *Chichohominy* near the mouth thereof was read the third time—

*Refolved* That the Said Bill do pafs—

*Ordered* That the Committee of Propofitions and Greivances carrye the Same to the Council and Defire their Concurrence thereto—

A Bill for granting One Thoufand pounds out of the Publick ffund for the maintaining and Educating Scholars at the Colledge of *William and Mary* was read the Second time—

*Ordered* That the Said Bill be ingroffed

A Bill for Impowering the Treasurer of this Colony to pay and put out at Intereft a Summe not Exceeding Eight Thoufand pounds of the Publick money now in his hands.—

*Ordered* That the faid Bill be Ingroffed

A Bill to prevent Delays in Sending and prefenting Bills of Exchange to the perfons on whom the Same is drawn and for Limiting the time of payment of Protefted Bills was read the Second time And thereupon.

*Ordered* That the Said Bill be committed to the Committee for Publick Claims for Amendments

The Houfe proceeded to the confideration of the Book of Reports of the Committee for Publick Claimes. and the Same being read was agreed to with Some Amendments.

The Petition of *John Randolph* refer'd to be confidered with the Book of Claimes was read.

*Refolv'd* upon the Queftion

That the Same be rejected.

The Petition of *Miles Cary* Clerk to the Committee for Publick Claimes alfo refer'd to be confidered with the Book of Claimes was read.

*Refolved* upon the Queftion

That he be allowed the Same as the Clerk of the Committee of Propofitions and Greivances.

*Ordered* That the Clerk add the Salarys of the Offycers to the Book of Claimes as vfuall and that the Same be confidered to morrow—

*Refolved.* That it be an Inftitution to the Committee of Propofitions and Greivances to whom it is referred to prepare an Addrefs to the Governour that they answer in the Said Addrefs all thofe parts of the Governours Speech which are not already answered—

The Scheme refer'd to be confidered this Day is *Ordered* to be confidered to morrow—

Then the Houfe adjourned til to morrow morning ten a Clock

*Tuesday May the 27<sup>th</sup> 1718*

A N Ingroffed Bill for Impowering the Treasurer of this Colony to pay and put out at Intereft a Summe not Exceeding Eight Thoufand pounds of the Publick money now in his hands was read the third time

*Refolved* That the Said Bill do pafs—

*Ordered* That the Committee of Propofitions and Greivances carrye the Same to the Council and defire their Concurrence thereto

An Ingrossed Bill for granting One Thousand pounds out of the Publick fund for the maintaining and Educating Scholars at the Colledge of *William and Mary*, was read the third time—

*Resolved* *Nemine Contra dicente* That the Said Bill do pass—

*Ordered* That *M<sup>r</sup> Custis, M<sup>r</sup> Harrison, M<sup>r</sup> Randolph, M<sup>r</sup> Grymes, M<sup>r</sup> Jones, M<sup>r</sup> Stith, M<sup>r</sup> Goodrich, M<sup>r</sup> Jenkins, M<sup>r</sup> Burwell, M<sup>r</sup> Johnson, M<sup>r</sup> Wythe and M<sup>r</sup> Blair* carrye the Same to the Council and desire their Concurrence thereto—

The House proceeded to consider the Allowances to the Officers added to the Book of Claimes and the Same was read and agreed to as usual

*Ordered.* That the Committee for Publick Claimes carry the Book of Reports to the Committee for Publick Claimes to the Council and desire their Concurrence thereto—

A Message from the Council by *M<sup>r</sup> Robertson* That the Council have passed the Bill intituled *an Act to Enable Michael Meggison of the County of King and Queen Planter to Sell certain Lands in the County of Gloucester Entailed on him and the heirs of his Body upon his Selling other Lands of a greater value to the Same uses as Amended.* As also that the Council have passed the Bill intituled *an Act to Impower Harry Beverley and others to build a Bridge over the Dragon Swamp* as amended.

*Ordered* That the Said Bills be Enrolled.

*Ordered.* That *M<sup>r</sup> Corbin and M<sup>r</sup> Blair* Examine the Addresse to the King and report to the House whether the Same be truly Transcribed.

A Message from the Council by *M<sup>r</sup> Robertson* That the Council have agreed to the Amendment proposed by the House to their Amendment proposed to the Bill intituled *an Act preventing Abuses in the Post Office* and that they Recede from those parts of their Amendments which are disagreed to by this House—

And that the Council have agreed to the Bill intituled *an Act for the better Secureing the payment of Levys and for the Punishment of Lewd and Idle People* with Some Amendments to which they desire the Concurrence of this House—

*Ordered* That the Amendments to the Bill intituled *an Act for preventing Abuses in the Post Office* as agreed to be inserted therein and that the Committee of Propositions and Grievances carrye the Same to the Council and acquaint them that the Said Amendments are agreed to—

The House proceeded to consider the Amendments proposed by the Council to the Bill intituled *an Act for the better Secureing the payment of Levys and for the punishment of lewd and Idle People* and the Same were read and agreed to—

*Ordered* That the Said Amendments be inserted in the Bill and that the Committee of Propositions and Grievances carrye the Same to the Council and acquaint them that the House have agreed to the Amendments Proposed thereto—

*M<sup>r</sup> Corbin* reported that the Addresse to the King with a Duplicate thereof had been Examined and that the Same was fairly transcribed.

*Ordered* That the Said Addresse with the Duplicate be Signed by the Speaker

*Resolved* That it is of absolute necessity that an Agent be appointed to Sollicit the Affaires of this Colony in *Great Britain* and particularly to present the Addresse of this House to his Majesty.

*Resolved.* That *William Byrd Esq<sup>r</sup>* be and is hereby appointed Agent for this Colony and that he be desired by the Speaker to take upon him to Execute the Said Office pursuant to the Resolves of this House

*Resolved* That the Said Agent shall be allowed out of the Publick Treasury of this Colony full Satisfaction for all his Disbursements and Trouble in Negotiating the Addresse to his Majesty and other affairs of this Colony

*Ordered.* That the Clerk of this House prepare Two Copies of the Journalls of this Session So Soon as it may be conveniently done and deliver the Same to *M<sup>r</sup> Speaker.*

*Ordered* That *M<sup>r</sup> Corbin, M<sup>r</sup> Harrison, M<sup>r</sup> Grymes, M<sup>r</sup> Blair, M<sup>r</sup> Conoway and M<sup>r</sup> Eskridge* prepare Instructions to the Said Agent and report the Same to the House and that *M<sup>r</sup> Cary* attend them as Clerk—

*Resolved*



*Resolved* That tis the Desire of this House That Mr *Speaker* Tranfmit to the said Agent the Two Copies of the Journalls aforesaid the Address to the King and the Duplicate together with Such Instructions as shall be agreed to by this House—

*Resolved* That the Scheme referred to be considered this day be considered to morrow Then the House adjourned til to morrow Morning Ten a Clock—

*Wednesday. May y<sup>e</sup> 28<sup>th</sup> 1718*

**M**R *Harrison* reported that the Committee for Publick Claimes to whom the Bill to prevent Delays in Sending and presenting Bills of Exchange to the persons on whom the Same is drawn and for limiting the time of payment of protested Bills had prepared Some Amendments thereto

The House proceeded to consider the Said Amendments And the same being read The Question upon a motion was put

That the Bill with the Amendments be Ingrossed

It past in the Negative And thereupon.

*Resolved* That the Said Bill with the Amendments be rejected

The House being informed that Mr *Buckner* attended at the Door in Custody of the Messenger according to the Order of the House.

*Ordered* That the Said Mr *Buckner* be called to the Barr of the House and required by Mr *Speaker* to given an Account of the Book of Proportions of the last Assembly, as also to give reasons why he entred the Liev<sup>t</sup> Governours Speech made to the last Assembly upon the Diffolution thereof.

And being called and required accordingly he answered

That he left the Book of Proportions of the last Assembly in the Office of the House of Burgeffes and was ready to make Oath of it That upon the Diffolution of the Assembly he was informed his Commission determined and therefore gave the Key of the Office to the Clerk of the Gener<sup>l</sup> Assembly as he thought it his Duty.

That he did prepare Severall Copies of the Journalls of the last Assembly which he Sent to the Liev<sup>t</sup> Governour without the Addition of his Honours Speech, upon the Diffolution thereof And thereupon by a Letter from Mr *Robertson* was told that it was the Governours pleasure that his Said Speech should be added.

The Said Letter with Some Presidents in the printed Votes of the Parliament of Great Britain of the twelfth of May in the year 1711 and of the 15<sup>th</sup> of July in the year 1717 he delivered to the House and withdrew

*Ordered* That Mr *Buckner* make Oath before some Justice of the Peace for the County of York of the truth of his answer concerning the Book of Proportions aforesaid which he accordingly did. Part of the Said letter was read and is as followes.—

“The Governour has received the Journal and Laws Sent by yo<sup>r</sup> Boy but observing “that thō you take notice of his passing the Acts you have Omitted to InSert his Speech “at the Close of the Session which is as necessary to Compleat the Journal as the other “and indeed more because without it it does not appear what became of the House And “It is observable in the Journalls of the House of Commons that not only the passing “of the Acts but the Speech made both by the Sovereign and Lord Chancellor or Lord “Keeper at the Conclusion of the Session are inserted as you will find particularly in “the Votes in 1711 which I beleive you have by you, Wherefore the Governour has “ordered me to Send you back the last Sheet of your Journall Together with a Copy “of his Speech that you may insert it in its proper place in the Severall Journalls you “are to prepare for him and for the Office

Sign<sup>d</sup> *Wil Robertson*

Dated *Williamsburgh 7<sup>ber</sup> 30<sup>th</sup> 1715*

Upon consideration of which and the presidents aforementioned

*Resolved.* That the Enttring the Liev<sup>t</sup> Govern<sup>r</sup>s Speech at the end of the Journal of the last Assembly at the Diffolution thereof is without president & vnwarrantable

*Ordered*

Ordered That the said M<sup>r</sup> *Buckner* be discharged out of Custody paying fees.—

A Message from the Council by M<sup>r</sup> *Robertson*

That the Council have passed the Bill intituled *an Act for better regulating the ferry over the River Chickahominy near the mouth thereof* without any Amendment.

Also that the Council have passed the Bill intituled *an Act for preventing Abuses in the Post Office* as also the Bill intituled *an Act for the better Secureing the payment of Levys and for Punishment of Lewd and Idle People* as Amended.

Ordered That the said Bill be Inrolled.

M<sup>r</sup> *Corbin* reported.

That the Committee of Propositions and Greivances had according to Order. prepared an Address to the Governour which he read in his place and delivered in at the Table and the Same was again read and agreed to by the House as follows.

*To the Hon<sup>ble</sup> Alexander Spotwood his Majesties Lieut Governour of Virginia  
The humble Address of the House of Burgeesses. May it please Yo<sup>r</sup> Honour*

Wee his Majest<sup>y</sup> faithfull Burgeesses of this his most antient Colony and Dominion of *Virginia* now met in Assembly having maturely considered yo<sup>r</sup> Hon<sup>rs</sup> Speech at the Opening of this Session & yo<sup>r</sup> Message of the ninth Instant together with the Severall Papers you thought fit to lay before us Do return our hearty Thanks for the Same and with all humility take Leave to acquaint you That as you were pleased to Signifie to us Wee were convened not to raise Supplys to defend our Estates or to Support the Government But to find the best waies and meanes to dispose of the greatest Bank of money that ever was at One time in our Publick Treasury

Wee humbly apprehend That One Thousand pounds thereof cannot be appropriated to a better use that towards the Education and Support of the Youth of this Colony in the Colledge of *William* and *Mary* which hath been So happily founded by the gracious Bounty of his Majesties Royall Predecessors And wee having prepared a Bill for that purpose doubt not of your Honours ready Concurrence in a Design which may prove So truly beneficial to us and our Posterity.

Wee assure yo<sup>r</sup> Hon<sup>r</sup> Wee have had due regard to all Engagements requisite to be Discharged out of the Publick Treasury and it is a very great Satisfaction to find our Country under a necessity of Exhausting but an Inconsiderable Summe of the Revenue therein but as we think it absolutely necessary for the promoting of the Trade of this Colony That the Remainder should Circulate in the Country. Wee have by a Bill prepared for that end directed that a Summe not Exceeding Eight thousand pounds may be put out at Interest as the best meanes we can find to Improve the Same and hope for yo<sup>r</sup> Honours Concurrence thereto

As it was our Duty So wee have with the greatest readines applied our Selves to consider what his Majesty was most graciously pleased to recommend to us with respect to the Indian Company and have considerably inspected those Accounts which they have laid before us and are of Opinion that One hundred Pounds advanced by them towards building a Magazine be repaid the Said Company out of the Publick money. But as it doth not appear to us that any other Summes mentioned in the Said Companys Accounts have been Expended for the benefit of this Country We should be unjust to our Selves and those we represent if we agree to allow the Same out of the Publick money.—

Wee are not apprized of any abuses in the Indian Trade and therefore cannot lay it under any regulations but shall alwaies be willing to take proper measures for preventing both the Irregularitys of the Traders and the ill Consequences thereof.—

Your Honour having been pleased to informe us that the Northern Indians Expect we should renew the Treaty made with them by the Lord *Howard*. Wee can make no other Answer thereto than that (as we know of no violation of that Treaty on our parts Wee must humbly referr what is proper to be done in that affair to your Honour and the Council who we are entirely Satisfyed will take Such measures as are most Expedient to preserve the friendship of those Nations

Wee

Wee conceive by the Severall Treatys your Honour hath made with the Indians your Design was to Settle a Barrier to our frontiers against the Incurfions of fforreign Indians but Seeing the *Saponies* are the only People that have Complied with their Treaty. Wee are of Opinion your first good intention is thereby frustrated and cannot think the keeping up ffort *Christanna* purely for their Security any waies reasonable and hope they may be content with the Same Protection other Tributarys Enjoy.—

Wee humbly conceive the Hostages delivered by the *Cattabaw* Indians were taken for the Security of the Indian Traders and think it reasonable That as that Law which Erected the Indian Company. is repealed they should be returned in Such manner as may but perfume a good understanding with that People—in Case the persons concerned in that Trade do not think it worth their while to maintain them.

As the Account yo<sup>r</sup> Honour hath given us of your many fatiguing Journeys undertaken for the Service of this Government, convinces us of your great diligence So Sir we hope they will give you the Satisfaction of reflecting that you have deferved the Sallary allowed by his Majesty.

On confideration of the Royall Instruccion you were pleased to lay before us Wee have p<sup>r</sup>pared an humble Addrefs to our Sovereign beseeching him to recall his Additional Instruccion whereby he hath signified his pleasure. that the Governour here do not for the future pass any Act which may affect the Trade and Shipping of *Great Britain* until it hath been there approved and that he will permitt our Governour to pass any Act that shall by the Generall Assembly be thought for the Service of his Majesty and this Government—And likewise thought it requisite in the Said Addrefs to beseech his Majesty that the power with which his Govern<sup>r</sup>. is vested in appointing the Judges of Courts of Oyer and Terminer may be limited for that we apprehend Such power may prove of Dangerous Consequence.

The Bills which have been Sent up by us to the Council are chiefly founded upon the Grievances and Propositions of the People whom we represent And we hope Sir that those which have had the Approbation and Concurrence of their Hon<sup>rs</sup> will obtain your favourable Affent

*Ordered.* That the Said Addrefs be fairly transcribed and Signed by the Speaker and that the Same be delivered by the whole house.—

A Bill to repeal part of an Act made in the Twelfth year of her late Majesty Queen *Ann* for finishing the Governours house and for granting to his Honour the Summe of Two hundred and fifty pounds for perfecting the work was by leave of the House presented and read the first time and ordered to be read a Second time

The House having considered the Scheme referred to be considered on this Day.

*Ordered.* That the Same be Lodged in the Office of the House of Burgeffes with the Accounts of the Governours House and other Buildings—

Then the House adjourned til to morrow morning ten a Clock.

*Thursday May the 29<sup>th</sup> 1718*

**A** BILL to repeal part of an Act made in the Twelfth year of her late Majesty Queen *Ann* for finishing the Govern<sup>r</sup>s House and for granting to his Honour the Summe of Two Hundred and fifty pounds for perfecting the work was by Leave of the House presented and read the Second time.

*Ordered* That the Said Bill be Ingrossed.

*Ordered* That the Committee of Propositions and Greivances wait on the Governour to know when and where his Honour will be attended by this House with their Addrefs—

The House taking into consideration That the Body of his Excellency *Edward Nott* late Governour of *Virginia* lyes interred in the Church Yard of *Williamsburgh* and that hitherto no Monument has been Erected to the memory of him, thô his prudent and

Eafye

Eafye Adminiftration while he prefided over this Country moft Juftly deferves to be tranfmitted to Pofterity

*Resolved Nemine Contra dicente.*

That a Summe not Exceeding Sixty pounds be paid to *John Clayton* Efqr out of the money in the Treafurers hands by him to be laid out on a Monument of Marble to be Erected in the Church yard of *Williamfburgh* to the Memory of So deferving a Governour with Such Infcription as he fhall think proper—

*Resolved* That the Summe of One hundred pounds out of the money in the Treafurers hands be paid to the Speaker as a Token of the Refpect this Houfe beares him

*Ordered* That Mr *Harrifon* Mr *Burwell* Mr *Braxton* and Mr *Presley* wait on the Governour and Council with the Said Refolves and defire their Concurrence thereto

Mr *Corbin* reported that the perfons appointed had according to Order waited on the Governour to know when and where his Honour would be waited upon by this Houfe with their Addrefs. And that he was pleafed to Say. To morrow morning at Ten a Clock in the Council Chamber.

A Meffage from the Council by Mr *Robertfon*

That the Council have paffed the Bill intituled *an Act for granting One Thoufand pounds out of the Publick ffund for the maintaining and Educating Scholars at the Colledge of William and Mary* as alfo the Bill Intituled *an Act for Impowering the Treafurer of this Colony to pay and put out at Intereft a Summe not Exceeding Eight Thoufand pounds of the Publick money now in his hands* without any Amendment.

*Ordered* That the Said Bills be Inrolled.

An Ingroffed Bill intituled *an Act to repeal part of an Act made in the Twelfth year of her late Majefty Queen Anne for finishing the Governrs Houfe and for granting to his Honour the Summe of Two hundred and fifty pounds for perfecting the faid work* was read the Third time

*Resolved.* That the Said Bill do pafs—

*Ordered* That the Committee for Publick Claimes carrye the Same to the Council and defire their Concurrence thereto—

Mr *Goodrich* reported that the perfons appointed had according to order prepared a meffage to the Council on the Refolves of this Houfe on the Twenty fourth Instant which he read in his place and delivered in at the Table, and the Same was again read and agreed to with an Amendment as follows.—

*By the Houfe of Burgefles*

*May it please Yo<sup>r</sup> Honours.*

Wee have Serioufly confidered your meffages relating to the Engagements made by the Government with the late Indian Company Since the repeal of the Act for regulating the Indian Trade. And as we ought ever to fhew a ftrict and due regard to the publick faith of the Government in every particular which we can conceive to be for the defence Service or Security thereof. Wee have agreed to Enable the Government to make good their Engagements to the late Indian Company for maintaining the *Cattabaw* Hoftages and the Guards at *Chriftanna* from the 13<sup>th</sup> of *November* laft til the laft of *June* next. But we cannot Concurr with your Honours in Opinion That the repairing ffort *Chriftanna* is of Service or Security to this Country.

Your Honours are pleafed to inform us That the Erecting the faid ffort was founded on a Scheme formed by the Governour of Setling out the Severall Nations of Tributary Indians. according to the Treatys now before this Houfe of Erecting fforts at their Settlements & maintaining a Standing Guard therein which fhould do the Duty of Rangers from the One of thofe Settlements to the other and thereby leffen the Charge of that Standing Guard which the Country had for Some Yeares before maintained.

How beneficial this Project might have proved had it ever been Experienced we fhall not take upon us here to determine but as we are convinced that no One Nation Except the *Saponies* have Submitted to perform their Treaty. Wee are of Opinion that

firft

first intention is intirely fruſtrated And that the Charge of keeping up ſſort *Chriſtanna* purely for the Security of thoſe few people is no way neceſſary or reaſonable.—

It Evidently appeares that even the Houſe of Burgeſſes which approved that work took particular Care to prevent its becoming a Publick Charge and that there was other motives to induce them to approve we think appeares as plainly.

Your Hon<sup>rs</sup> Arguments from the Tranquility which that part of the Country hath Enjoyed Since the Erecting that ſſort we think may briefly and Effectually be answered in the Inſtance of the unhappy *Cattawbaws* and wee hope you will be of Opinion that after this Houſe have reſolved not to continue the Expence of the Said ſſort we have no waies Erred in our Duty by refuſing to repair the Same Eſpecially when we think the late Indian Company bound to deliver it up in good repair.

Wee have alſo conſidered that part of your meſſage relating to the keeping the *Cattawbaw* Children and are humbly of Opinion that thoſe Hoſtages were taken principally for the Security of the Indian Traders and were not then deſigned to be kept at the Charge of the Country. But as the Law which Erected the Indian Company is repealed if the perſons concern'd in that Trade will not maintain them we think it reaſonable they ſhould be returned at the Charge of the Country in Such a handſome manner as will beſt preſerve a good underſtanding with that People And we hope your Honour will as Soon as conveniently you can cauſe to be laid before this Houſe a reaſonable Computation of the Charge of Sending home the *Cattawbaw* Children with an Account what Summs of money will anſwer the Engagements we have agreed to Diſcharge—

*Ordered* That the Said Meſſage be fairly tranſcribed and Signed by the Clerk and that the perſons who p<sup>r</sup>pared the Same carrye it to the Council—

Then the Houſe adjourned til to morrow Morning ten a Clock

*Fryday May the 30<sup>th</sup> 1718*

A MESSAGE from the Council by M<sup>r</sup> *Robertſon*  
That the Council have paſſed the Book of Claimes, and that the Governour has aſſented thereto.

A Committee to Proportion the Publick Levy  
M<sup>r</sup> *Hariſon*.....M<sup>r</sup> *Bolling*  
M<sup>r</sup> *Eſkridge*.....M<sup>r</sup> *Goodrich*

*Reſolved* That the Severall money Allowances menconed in the Book of Claimes be paid out of the Publick money in the Treafurers hands—

*Ordered* That M<sup>r</sup> *Hariſon*, M<sup>r</sup> *Burwell* M<sup>r</sup> *Braxton* and M<sup>r</sup> *Preſley* carrye the ſaid Reſolve to the Governour and Council and deſire their Concurrence thereto.

The Houſe went up to wait on the Governour in the Council Chamber w<sup>th</sup> their Addreſs. and being returned M<sup>r</sup> *Speaker* reported That he had waited on the Governour with the Humble Addreſs of this Houſe and that his Honour was pleaſed to return an Anſwer of which he had obtained a Copy as follows.

As I may well thank you Gentlemen for the Opportunity you have afforded me during the Seſſion to Shew my moderation in Government. So I muſt give you thanks for this Change in your Behaviour And that you are come at laſt to Expres your Selves in more reſpectful Termes. thô the matter of your preſent Representation be ſtil generally Such as I can by no means Concur with you therein But I ſhall not keep contending with you thereupon for when I conſider the daily Charge of your Sitting I Judge it not worth while and my thoughts are *Le Jeu ne vaut pas la Chaudelle*

What I left at the Opening of this Seſſion to Yo<sup>r</sup> Conſultations I perceive you now referr back to me to adviſe with the Council thereupon So that the Meaſures to be taken with the Northern Indians is a work now to be begun and Such is the Circumſtances of the Government, That I think it cannot be perfected without your Aſſiſtance. But I obſerve by your reading Bills twice in One Day; that you are hurrying all buſineſs

over

over and understand that it is out of an Impatience to be at your own Plantations in the approaching Holy Dayes. Wherefore I am willing to give you a Recess by Adjournment for a fortnight or a month as it shall best please you And whatever Bills you have ready to be offered for my Assent, I shall either this day pass them or take time to consider them during your Adjournment.

Mr *Corbin* reported that the persons appointed had according to Order prepared Instructions to *William Byrd Esq<sup>r</sup>* Agent for *Virginia* which he read in his place and the Same being delivered in at the Table was again read and agreed to by the House with an Amendment as follows.

Instructions to *William Byrd Esq<sup>r</sup>* Agent for *Virginia*

1 You are desired to lay before his Majesty the Address of the House of Burgesses and to negotiate that affair to Effect

2 The House have thought fit to Send their Journall for your Perusal and in case any misrepresentation should be made of their proceedings you are desired to have regard to their Honour

*Ordered* That the said Instructions be fairly transcribed and signed by Mr *Speaker*

*Ordered* That Mr *Randolph* Mr *Eskridge*, Mr *Diggs*, and Mr *Mason* Examine the Several Inrolled Bills and make report to the House whether the Same agree with the Inrolled Bills.

A written message from the Council by Mr *Robertson*  
Mr *Speaker* and Gentlemen of the House of Burgesses.

The Council have had under Consideration your message relating to the returning the Indian Hostages, and are of Opinion that the best way of Sending back these Hostages will be by a message Sent to their Nations to come for them and Since it will require time to find out proper persons to go on that Message. and also to make a Computation of the Charge both which will be best effected during the Adjournment of the Assembly We therefore propose that the time for maintaining the Hostages and Guard may be enlarged at least til the last of *July* That we may be the better Enabled to lay before you at the next meeting of the Assembly Such a Computation of the Charge as is desired in your Message

May 30<sup>th</sup> 1718

By order of the Council  
*Wil Robertson* Cl Gen. Ass<sup>ly</sup>

The House proceeded to the Immediate consideration of the Said message and the same being read.

*Resolved* That the House doth approve of the method of returning the Indian Hostages proposed by the Council, and that they with the Guard be maintained til the last of *July* at the Charge of the Country.

*Ordered* That a Copy of the said Resolve be Sent to the Council in answer to the Said Message, and that Mr *Diggs* Mr *Mason*, Mr *Presly* and Mr *Barber* carrye the Same—

Mr *Randolph* reported That the persons appointed had according to Order Examined the Several Inrolled Bills, and that they found them to agree with the Inrolled Bills

*Ordered* That the persons who Examined the Said Bills carrye the Same to the Council

A Message from the Council by Mr *Robertson*

That the Council have agreed to the Resolves of this House Sent up to them this Day; and that the Governour had also assented to them—And that the Council were satisfied the Several Bills Sent up to them were truly inrolled.

A message from the Govern<sup>r</sup> by Mr *Robertson*

The Govern<sup>r</sup> Commands the immediate attendance of this House in the Council Chamber and that you bring with you Such Bills as are ready for his Assent

Mr *Speaker* with the House accordingly went up to attend his Honour and he was pleased to give his Assent to the following Bills

*An Act for Selling the fees of the Secretary, County Court Clerks, Sheriffs Coroner and Constables and for ascertaining the fees of Attornys to be allowed in a Bill of Costs—*

*An*

*An Act to Impower Harry Beverley and others to build a Bridge over the Dragon Swamp—*

*An Act for granting One Thousand pounds out of the Publick ffund for the maintaining and Educating Scholars at the Colledge of William and Mary.*

*An Act to Enable Michael Meggison of the County of King and Queen Planter to Sell Certain lands in the County of Glocester Entailed on him and the heires of his Body upon his Settling other Lands of a greater value to the Same Uses—*

The Houfe being returned Mr *Speaker* acquainted them that the Hon<sup>ble</sup> the Liev<sup>t</sup> Governour had given them leave to adjourn til *Thurfday* the Tenth day of *July* next.

*Resolved* That the Houfe do now adjourn accordingly

And the Houfe was accordingly adjourned to *Thurfday* the Tenth day of *July* next

*Thurfday July the 10<sup>th</sup> 1718*

**M**R *Speaker* and Twenty Six Members mett in the Houfe

A meffage from the Hon<sup>ble</sup> the Liev<sup>t</sup> Govern<sup>r</sup> by Mr *Robertfon*

The Governour Commands the Immediate Attendance of this Houfe in the Council Chamber

Mr *Speaker* with the Houfe went up accordingly to attend the Governour and his Hon<sup>r</sup> was pleafed to make the following Speech

*Gentlemen of the Houfe of Burgeffes*

I would willingly have Spared the Country the Charge and you the Trouble of coming hither in this warm Seafon of the year but in the Opinion of the Council you being under an Adjournment could not be prorogued by Proclamation

Now you are mett in Affembly I have no new matters to lay before you; Nor do I know of any bufinefs you have had in hand that I can venture to Concurr w<sup>th</sup> you in) but may as well be accomplished when more urgent Occafions fhall require your Sitting and to finifh the work of your Seffion there remains nothing more needfull than the Levy Bill; yet even that will be Equally the Same to the Publick Creditors, whether it fhould pafs now or four months hence—

Since your Houfe has declined to provide for the defence of the frontiers and the Councils advice is to take no meafures with the Northern Indians until they actually commit Hoftilitys on this Colony, I cannot think it prudence to leave this Affembly under a long prorogation Efpecially while thofe Indians are upon our frontiers threatening deftruction to our Tributarys and reeking with the Blood of our Allies So that I muft keep you in a readinefs to build up the wound Since you will not be perfwaded to ward off the Blow

And therefore I fhall prorogue you for no longer than a month but intend not to give You the Trouble of meeting fo foon, without Some Extraordinary occafion and this Affembly is accordingly prorogued to *Thurfday* the Seventh day of *Auguft* next

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# JOURNAL

OF THE

## HOUSE OF BURGESSES

AT A

### GENERALL ASSEMBLY

begun at the Capitol the 23<sup>d</sup> day of *Aprill* Anno Dom 1718 In the Fourth Year of the Reign of our Sovereign Lord GEORGE by the grace of God of *Great Brittain France & Ireland* King, Defender of the Faith &c; and thence continued by Prorogation and Adjournment to the 11<sup>th</sup> day of *November* 1718, Being the Second Sessïon of this present Assembly.

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RICHMOND, VIRGINIA.

MCMXI.

1831/15/21

(1831/15/21)

# JOURNALL

of the

## HOUSE OF BURGESSES.

*Tuesday November the 11<sup>th</sup> 1718*

**O**RDERED That the Houfe be called over To morrow morning.  
A Meffage from the Governor by Mr *Robertfon*,  
Mr *Speaker*

I am commanded by the Governor to acquaint this Houfe that His Hon<sup>r</sup> having nothing immediately to lay before you, defires you will proceed on fuch Propofitions & Grievances as you have in Charge from your Countys.

Then the Houfe Adjourned till Tomorrow morning 10 a'clock.

*Wednesday November the 12<sup>th</sup> 1718*

**T**HE Houfe was according to order called over, And thereupon

*Ordered* That Mr *Barber* Mr *Digges*, Mr *Broadnax*, Mr *Cuftis* & Mr *Stanup* wait on the Governor and defire his Hon<sup>r</sup> to iffue a new Writt for the electing a Burgefs to ferve in this prefent Generall Affembly for the County of *York* in the room of *James Burwell* Gent deceas'd

*Resolved* That the Abfence of thofe Members who did not appear at the calling over the Houfe be excufed

*Ordered* That the Clerks and Door keepers appointed laft Seffion be continued this Seffion, and that they give their Attendance accordingly

*Ordered* That the Reverend *Hugh Jones* be continued chaplain to the Houfe, and that he attend every morning at 9 a'clock in the Conference Room to read divine Service.

A Committee for Elections & Priviledges

Mr *Eskridge* Chairman

Mr *Presfly*..... Mr *Grymes*

Mr *Griffin*..... Mr *Buckner*

A Committee for Publick Claimes

Mr *Harrifon* Chairman

Mr *Barber*..... Mr *Digges*

Mr *Neal*..... Mr *Goodrich*

Mr *Boufh*..... Mr *Johnfon*

Mr *Baylor*..... Mr *Bolling*

Mr *Brodnax*..... Mr *Fitzhugh*

A Committee for Propofitions & Grievances

Mr *Corbin* Chairman

Mr *Marable*..... Mr *Jenkins*

Mr *Merriwether*..... Mr *Jones*

Mr *Conway*..... Mr *Blair*

Mr *Cuftis*..... Mr *Bridger*

Mr *Eskridge*..... Mr *Grymes*

Mr *Randolph*..... Mr *Cole*

*Ordered*

*Ordered* That the Committee have power to adjourn themselves from day to day, and to fend for persons, Records Journals & other papers they shall from time to time have occasion of.

*Resolved* That all Propositions Grievances & Publick Claims be brought into the House on *Friday* next at farthest or not to be received in this Session of Assembly, without particular leave of the House.

The Orders of the House for the last Session being read

*Resolved* That the House doth approve of the same, and that they continue Orders for this Session

Severall Claims from the Countys of *Henrico Charles City & Middlesex* were presented to the House and Referr'd to the Committee for publick Claims to examine the same and report their Opinion thereon to the House

*Ordered* That the Treasurer lay his Accounts before this House on *Tuesday* next, or sooner if he can conveniently

*Ordered* That the Clerk give the Treasurer notice of this Order by a letter and that the Messenger deliver the same

*Ordered* That Mr *Holloway* and Mr *Clayton* lay before the House on *Munday* next their Accounts of the money they are Intrusted with by virtue of an Act made in the year 1713 impowering them to receive of the Trustees for the City of *Williamsburgh*, and of all other persons w<sup>t</sup> soever all moneys by them received for Lotts of land and otherwise for the benefit of the said City, and the Sum of Two hundred & one pound nine shillings & nine pence of *Robert Carter Esq<sup>r</sup>*, and to apply Such money to certain uses; and also for Impowering them to keep the Accompts of the Governor's house, and directing the finishing the same.

*Ordered* That the Committee for Propositions & Grievances inspect the Journal of the last Session, and report to the House what they find necessary to be further considered this Session.

*Ordered* That the said Committee do make Enquiry whether any Laws are near expiring and report the same to the House

*Ordered* That the Committee for Publick Claims inspect the Report of the said Committee at the last Session, and Report to the House what they find necessary to be further considered this Session.

Mr *Dangerfield* having taken the Oaths appointed by Law, and Subscribed the Test, took his place in the House.

Mr *Grymes* having obtained leave presented to the House a Bill Declaring who shall not bear Office in this Country. And the same being read the first time was

*Ordered* to be read a Second time

Upon the motion of Mr *Jones*, he has leave to be absent til *Saturday* next.

Then the House Adjourned till Tomorrow morning 10 a'clock.

*Thursday November y<sup>e</sup> 13<sup>th</sup> 1718*

SEVERALL Claims from the Countys of *Effex & Prince George* were presented to the House and referr'd to the Committee for Publick Claims to examine the same and report their opinion therein to the House

A Petition of *William Kimball* praying an Allowance as Interpreter to the *Sapony* and other Indians

A Petition of *Henry Briggs* praying an Allowance as Interpreter to the *Nottoway Maherine & Nanfemond* Indians

A Petition of *John Randolph*, praying to be allowed for fix Copys of the Journal, and five five Copys of the Laws of the last Session

Were Severally presented to the House & read

*Ordered*

*Ordered* That the confideration of the faid Petitions be referr'd to the Committee for Publick Claims, and that they examine the fame and report their Opinion thereon to the Houfe.

A Claim of *George Allen* for Viſits and Phyſick adminiſtred to a priſoner in the Country Goal was preſented to the Houfe and refer'd to the Committee for Publick Claims to examine the fame and report their opinion thereon to the Houfe.

M<sup>r</sup> *Corbin* reported from the Committee of Propoſitions & Grievances to whom it was referred to inſpect the Journal of the laſt Seſſion, & report to the Houfe what was neceſſary to be further conſidered this Seſſion, That the Said Committee had had the fame under their Conſideration, and were come to ſome Reſolutions, which he read in his place and delivered in at the Table, And the fame was again read

And upon conſideration of part of the faid Report

*Reſolved* That the propoſition from the County of *Northampton*, relating to the printing the Laws of this Country, and expoſing the fame to Sale in every County, referr'd to the conſideration of this Seſſion of Affembly be referr'd to the conſideration of the next Seſſion of Affembly

And upon conſideration of the Report of the faid Committee on part of the hon<sup>ble</sup> the Lieu<sup>t</sup> Governor's Speech on the 10<sup>th</sup> of *July* laſt, in theſe words [Since your Houfe have declined to provide for the defence of the Frontiers]

*Reſolved* That it is the opinion of this Houfe that the Militia as by Law eſtabliſhed is the proper Defence of the Country.

M<sup>r</sup> *Corbin* alſo reported from the 1<sup>st</sup> Committee, That the Act for laying a Duty on Liquors & Slaves will expire on the tenth day of December next: And alſo that the Act for ſupply of certain defects found in an Act preſcribing the method for appointing Sherifs is lately expired.

Upon conſideration of which

*Reſolved* That there is no neceſſity to continue the faid Act for laying a Duty on Liquors & Slaves

*Reſolved* That the faid Act for ſupply of certain defects found in an Act preſcribing the method for appointing Sherifs, be not Revived.

A Bill declaring who ſhall not bear office in this Country was Read a Second time, and thereupon

The Queſtion was put

That the faid Bill be amended

*Reſolved* in the Affirmative: And an Amendment being made therein

*Ordered* That the Bill with the Amendment be Ingroſſed.

A written meſſage from the Governor & Council by M<sup>r</sup> *Robertſon*

M<sup>r</sup> *Speaker and Gentlemen of the Houſe of Burgeſſes.*

The Governor and Council having taking into conſideration the dangers which threaten the Trade & Shipping of this Colony, by the Refort of Pyrats to *North Carolina*, and more eſpecially from that Crew now there under the command of Cap<sup>t</sup> *Tach*, who having rendered themſelves incapable of his Majeſty's mercy by their repeated Piracys ſince the 5<sup>th</sup> of *January* laſt (in which time as appears by the Evidence on the Tryal of *Tach's* Quarter Maſter, they have plundered near Twenty Ships & Veffels) Seem reſolved to continue in the ſame piratical courſe, and have actually committed divers Acts of Piracy ſince their pretended Surrender: And there being certain Advice that they threaten to revenge on the Shipping of this Country the taking up the above mentioned Quarter Maſter. For theſe reaſons the Governor and Council think it abſolutely neceſſary that ſome ſpeedy and Effectual Meaſures be taken for breaking that Knott of Robbers, Seeing it is unpracticable for his Maj<sup>ties</sup> Ships of War to come at them in the Inletts where they lye. And therefore that encouragement may be given for fitting out Sloops to attack them by Sea, or for inducing the Inhabitants of *Carolina* to ſeize them at land It is propoſed that over & above the Rewards promiſed by his Maj<sup>ties</sup> proclamation,

tion, there be given by this Government as an Encouragement for apprehending the<sup>d</sup> Pyrats, the Rewards following *Viz*<sup>t</sup>

For Cap<sup>t</sup> *Tach* the Sum of £100.

For every other Commander of a Pyrate Sloop or Veffell the Sum of £40.

For every Lieutenant, Mafter, Quarter Mafter, Gunner, Boatfwain or Carpenter £20.

For every other Inferiour Officer £15.

And for every private man £10.

And that your Houfe will enable the Government to pay the faid Rewards upon the apprehending of any of the faid Pyrates refpectively So as they be brought to Tryal and convicted.

The Governor and Council doubt not your ready concurrence w<sup>th</sup> them in a matter which will prove very acceptable to his Majefty and wherein the Welfare of this Colony is fo much concerned.

By order of the Gov<sup>r</sup> & Council

November 13<sup>th</sup> 1718

*Wil Robertfon* Cl G Affy

*Refolved* That the faid Meffage be taken into confideration To morrow

A Petition of the Frontier Inhabitants of *Henrico & New Kent* praying that Guards may be eftablifhed to defend them from the Indians being referred from the Governor & Council, was read

*Refolved* That the faid petition be rejected

Then the Houfe Adjourned till To morrow morning 10 a'clock.

### *Friday November the 14<sup>th</sup> 1718*

**A** PETITION of *James Adams* praying an Allowance as Interpreter to the *Chichahominy & Pamunky* Indians, being referr'd from the Council was read and Referred to the Committee for Publick Claims to examine the fame and report their opinion thereon to the Houfe

A Petition of the Upper Inhabitants of the parifh of *S<sup>t</sup> John* in the County of *King William*, praying that the 1<sup>d</sup> parifh may be divided, being referr'd from the Governor & Council, Was Read and

Referr'd to the Committee for Propositions & Grievances to examine the fame and report their opinion thereon to the Houfe.

Severall Claims from the Countys of *James City & York*, were prefented to the Houfe and referr'd to the Committee for publick Claims to Examine the fame and report their opinion thereon to the Houfe.

A Claim of *John Brodnax* Keeper of the Country Goal was prefented to the Houfe and referr'd to the Committee for publick Claims to examine the fame, and report their opinion thereon to the Houfe.

The Houfe being informed that the Bell to the Capitol Clock is removed

Upon a Motion

*Ordered* That *John Brodnax* attend to morrow morning to inform this Houfe by what Authority the Said Bell was removed.

The Houfe according to order proceeded to take into confideration the Written Meffage from the Governor & Council, And the faid Meffage together with a letter to the Governor dated the 10<sup>th</sup> of *November 1718*, giving an acco<sup>t</sup> of Severall Acts of Piracy lately committed on the Coaft of this Colony, was read and thereupon

*Refolved* That the feveral Rewards propofed by the Governor & Council as an Encouragement for the taking of Pirates, be agreed to, and that a Bill be prepared accordingly.

*Refolved* That the faid Bill be enacted for one year and no longer, And that it do not extend to Pirates take[n] further Southward than the Latitude of 34 or further Northward

ward than the Latitude of 39 or more than one hundred Leagues from the Land unless they be taken by any Ships or Vessells belonging to the Provinces of *Virginia* or *North Carolina*.

*Ordered* That the Committee for Propositions & Grievances prepare & bring in the said Bill

A Petition of the Lower Inhabitants of the parish of *S<sup>t</sup> John* in the County of *King William*, Setting forth Reasons against the petition of the Upper Inhabitants of the <sup>d</sup> parish, being referred from the Governor & Council, was read and

Referr'd to the Committee for Propositions & Grievances to examine the same and report their opinion thereon to the House.

An Ingross'd Bill Entitled *An Act declaring who shall not bear Office in this Country* Was read the third time

*Resolved* That the Bill do pass

*Ordered* That *M<sup>r</sup> Blair* *M<sup>r</sup> Grymes* *M<sup>r</sup> Stith* *M<sup>r</sup> Johnson* & *M<sup>r</sup> Mason* do carry the same to the Council and desire their concurrence thereto

Then the House Adjourned till Tomorrow morning 10 a'clock

### *Saturday November the 15<sup>th</sup> 1718*

**C**LAIMS from the Countys of *New Kent* & *Gloucester* being by the leave of the House received were referred to the Committee for publick Claims to examine the same and report their opinion thereon to the House

*Ordered* That the House be called over on *Monday* next at twelve a'clock

*John Brodnax* attending (according to order) was called in, and informed the House that he delivered the Keys of the Capitol to *M<sup>r</sup> Holloway*, and that the Bell belonging to the Clock was removed by *M<sup>r</sup> Holloways* Negros and one *Richard King*, and then withdrew

*Ordered* That the bell be forthwith returned

*Ordered* That *John Brodnax* acquaint *M<sup>r</sup> Holloway* with the <sup>d</sup> Order and return his answer to the House on *Monday* next.

After which *John Brodnax* was called in again and demanded (by order of the House) to give an account of the furniture belonging to the Capitol, Whereupon he answered that the Doors were broke open and the Chairs removed without his knowledge and then withdrew.

*Ordered* That *M<sup>r</sup> Corbin* *M<sup>r</sup> Blair* & *M<sup>r</sup> Conway* be appointed to inquire what Furniture has been provided for the Capitol, what remains and in what Condition it is and that they report the same to the House

*Ordered* That they have power to fend for such persons & papers as they shall have occasion off and that *M<sup>r</sup> Pool* attend them as Clerk

Then the House Adjourned till *Monday* morning 10 a'clock

### *Monday November the 17<sup>th</sup> 1718.*

**T**HE House according to order was called over

*Resolved* That *M<sup>r</sup> Waters*, *M<sup>r</sup> Floyd*, *M<sup>r</sup> Robinjon* & *M<sup>r</sup> Ewele*, be not admitted to take their places in the House till they have given Reasons for Absenting themselves from their Service in the Assembly.

*M<sup>r</sup> Holloway* & *M<sup>r</sup> Clayton*, according to order, layd their Accompts before the House;

*Ordered* That the said Accompts do ly on the Table

A Claim of *James Sheilds* for entertaining Indians, being by the leave of the House recieved, was Referr'd to the Committee for Publick Claims to examine the same and report their opinion thereon to the House.

A Petition of *William Cocke Esq<sup>r</sup>* praying to be allowed for Issuing a Writt for Election of a Burgeis

A Petition of *Chicheley Corbin Thacker* praying to be allowed as Clerk to the Secretary's Office till *October* last

Were Severally presented to the House and read

*Ordered* That the said petitions be referr'd to the Committee for Publick Claims, & y<sup>t</sup> they examine the same and Report their opinion thereon to the House.

*Ordered* That the Committee for Publick Claims be Revived.

The order being Read That *John Brodnax* return to this House M<sup>r</sup> *Holloways* Answer, He was called in, & acquainted the House that M<sup>r</sup> *Holloway* would obey their order, and then withdrew

M<sup>r</sup> *Corbin* reported that the Committee for Propositions & Grievances had, according to order, prepared a Bill to encourage the apprehending of Pyrates, which he presented to the House and the Same was recieved and read the first time

*Ordered* That the said Bill be read a second time.

M<sup>r</sup> *Corbin* also Reported That the Committee for Propositions and Grievances had had under their consideration the petitions of the Upper & Lower Inhabitants of the parish of *St John* in the County of *King William*, and were come to a Resolution thereon, which he read in his place, and delivered in at the Table, where the same was again read and agreed to with an Amendment *Viz'*

*Resolved* That the said petitions be referr'd to the consideration of the next Session of Assembly

Then the House Adjourned till Tomorrow morning 10 a'clock

## *Tuesday November the 18<sup>th</sup> 1718*

**T**HE Treafurer, according to order, layd his Accompts before the House  
*Ordered* That M<sup>r</sup> *Corbin*, M<sup>r</sup> *Grymes*, M<sup>r</sup> *Baylor*, M<sup>r</sup> *Bolling* & M<sup>r</sup> *Blair* do Inspect and examine the said Accompts together with the Accompts of M<sup>r</sup> *Holloway* & M<sup>r</sup> *Clayton*, and report their opinion thereon to the House

A Petition of *John Armistead* of the County of *New Kent* Gent., praying to be enabled to sell certain Intailed Lands on Settling other lands of which he and his Wife are seized in fee simple of greater value to the same uses.

*Resolved* That the said petition be referr'd to the consideration of the next Session of Assembly.

Claims from the Countys of *Elizabeth City* & *Princefs Ann*, being by the leave of the House Received, Were Referred to the Committee for Publick Claims to examine the same and report their opinion thereon to the House.

A Bill to encourage the apprehending of Pirates Was read the Second time and Committed

M<sup>r</sup> *Corbin* reported from the Committee for Propositions & Grievances to whom the Bill to encourage the apprehending of Pirates was committed, that they had made severall Amendments to the Bill, which they had desired him to report to the House, and which he delivered in at the Table, where the Same was Read, and agreed unto by the House

*Ordered* That the Bill with the Amendments be Ingroffed.

Upon the motion of M<sup>r</sup> *Majon* & M<sup>r</sup> *Jenkins*, they have leave to go into the Country.  
 Then the House Adjourned till tomorrow morning 10 a clock.

## *Wednesday November the 19<sup>th</sup> 1718.*

**A** BILL Entituled *An Act to encourage the apprehending of Pirates* Was Read the third time

*Resolved nemine contradicente*

That the Bill do pass

*Ordered* That the Committee of Propositions & Grievances do carry the said Bill to the Council and desire their concurrence thereto.



Mr *Corbin* reported that the persons appointed had, according to order, examined the Treasurers Accompts, and that they found the same to be true

A Message from the Council that they have agreed to the Bill Entitled *An Act declaring who shall not bear Office in this Country* with an Amendment, to which they desire the concurrence of this House.

The said Amendment was Read and agreed to by the House.

Ordered That Mr *Blair*, Mr *Grymes*, Mr *Stith*, Mr *Johnson* & Mr *Bolling* do carry the Bill to the Council and acquaint them that this House hath agreed to the said Amendment.

Resolved That the Treasurer give further Security in the Sum of Fifteen thousand pounds, and that he be enabled to put out at Interest a Sum not exceeding ten thousand pounds, and that a Bill be prepared accordingly.

Ordered That the Committee for Propositions & Grievances prepare & bring in the said Bill

Ordered That the Treasurer make Oath to his Accompts.

A Petition of *John Brodnax* praying a larger Allowance for keeping the County Goal & Capitol, being referr'd from the Governor & Council was Read

Resolved That Ten pounds per annum be added to the Sallary of *John Brodnax* for keeping the Capitol

Ordered That Mr *Conway* Mr *Wyth*, Mr *Dangerfield*, Mr *Hardyman* & Mr *Hawkins* carry the said Refolve to the Council and desire their concurrence thereto

Ordered That *John Brodnax* apply himself to Mr *Holloway* & Mr *Clayton* for Locks and other things necessary for securing the doors and Windows of the Capitol.

Mr *Goodrich* reported from the Committee for publick Claims, that they had had under their consideration the severall matters to them referr'd and had prepared a Book of Reports thereupon, which they had directed him to report when the House was Ready to receive it: And the same being received was read & agreed to by the House with some Amendments

Upon a Debate the Question was put

That the Sum of Three hundred pounds be allowed to *William Byrd* Esq<sup>r</sup> appointed Agent to Solicit the Affairs of this Colony in *Great Britain*,

Resolved in the Affirmative, and

Ordered That the said Allowance be added to the book of Claims

Ordered That the Allowances to the severall Officers be added to the Book of Claims.

A message from the Council that they have passed the Bill Entitled *An Act Declaring who shall not bear Office in this Country* as amended. And that they have agreed to the Bill to encourage the apprehending of Pirates with some amendments to which they desire the concurrence of this House

Then the House Adjourned till tomorrow 10 a'clock

### *Thursday November the 20<sup>th</sup> 1718*

THE Allowances to the severall Officers added to the Book of Claims were read and agreed to by the House

Ordered That the Committee for Publick Claims carry the Book of Claims to the Council and desire their concurrence thereto.

Mr *Corbin* reported from the Committee appointed to inspect the Treasurers Accompts together with the Accompts of Mr *Holloway* and Mr *Clayton*, Severall matters which appeared to the sd Committee *Viz*:

That the Treasurer hath entered a Memorandum, wherein he Says That Credit is given for Mr *Henry Irwin*'s whole Account of Liquors & Slaves to witt One thousand One hundred & Seventy eight pounds ten Shillings & two pence, But because he is short paid of the same, One hundred Eighty eight pounds nine Shillings & eleven pence desires he may be allowed that Sum at his next reckoning, in case the said *Henry Irwin* does not pay him before.

That

That by the Accompts of Mr *Holloway* & Mr *Clayton*, out of the moneys by them received & expended pursuant to the Act of Assembly there is due on ballance to the General Assembly the severall & respective Sums following *Viz*.

From *John Holloway* Esq<sup>r</sup> the Sum of Thirty two pounds five shillings & ten pence  
From *John Clayton* Esq<sup>r</sup> the Sum of One hundred & three pounds eight shillings & one penny.

That there is a Warrant in the Treasurers Acco<sup>ts</sup> to *John Holloway* Esq<sup>r</sup> for two hundred pounds towards finishing the Governors house, and that the said Committee did send to Mr *Holloway* and Mr *Clayton* for the Accompt of the disbursements of the f<sup>d</sup> Sum of two hundred pounds; and Mr *Clayton* returned the following Answer. That he had waited on the Governor for those Accompts, And that his Honour told him, he did not expect to be called on for the f<sup>d</sup> Acco<sup>ts</sup>, and therefore had not them ready.

The Treasurer having made Oath to his Accompts, the ballance whereof due to the Country is Seventeen thousand nine hundred ninety five pounds Sixteen shillings & three pence, The said Accompts with a Duplicate passed the House

Ordered That the Committee for publick Claims carry the f<sup>d</sup> Accompts to the Council, and desired [desire] their Assent thereto.

Mr *Lawrence Smith* having taken the Oaths appointed by Law and subscribed the Test, took his place in the House

Mr *Merriweather* having obtained leave presented to the House an Address to the King which he delivered in at the table, where the same was read.

Upon a motion the Question was put

That the House proceed to the immediate Consideration of the Address to the King  
*Resolved in the Affirmative*

The House being informed that Instructions were prepared to the Agent of this Colony

*Resolved* upon a motion,

That leave be given to present the said Instructions.

Whereupon Mr *Merriweather* presented to the House a Writing Intuled Instructions to *William Byrd* Esq<sup>r</sup> Agent for the Colony of *Virginia*

The Instructions were read

Then the House proceeded to take into consideration the Address to the King, and after a debate, upon a motion

The Question was put

That the first Paragraph of the f<sup>d</sup> Address be agreed to

*Resolved in the Affirmative. 22 Yeas & 14 Nays.*

Then the Question was put

That the Second Paragraph of the f<sup>d</sup> Address be agreed to

*Resolved in the Affirmative. 19 Yeas & 14 Nays*

Then the Question was put

That the third paragraph of the f<sup>d</sup> Address be agreed to

*Resolved in the Affirmative. 19 Yeas & 13 Nays*

The Address is as follows

*To The Kings most Excell<sup>t</sup> Majesty*

*The Humble Address of the House of Burgeesses*

*May it please Your Majesty*

We Your Majestys most Dutifull & Loyal Subjects the Burgeesses of your ancient Colony of *Virginia* now mett in Assembly having duly considered severall Attempts of Your Lieutenant Governor towards the Subversion of the Constitution of our Government, the depriving us of our ancient Rights & privileges and many hardships which he daily exercises upon your Majestys good Subjects of this Colony, think we should not discharge the Duty we owe to our Sovereign or the Trust reposed in us by our Constituents if we any longer forbear to lay them before your Sacred person

And therefore we humbly hope your Majesty will be graciouſly pleaſed to receive ſome particulars from the Hon<sup>ble</sup> *William Byrd* Eſq<sup>r</sup> whome we have deſired to appear in behalf of your oppreſſed Subjects of this Colony being deprived of any other means whereby to make known to your Majesty our juſt Grievances by our remote Scituation which miſfortune we find greatly increaſed by being governed by a Lieutenant Governor, while the Governor in Chief reſides in *Great Britain*, to which we attribute many of the Difficultys we now labour under.

It is with great comfort we behold your Majesty earneſtly employing your Self in the defence of the Libertys not only of your own Subjects, but of all *Europe*, and cannot doubt, that as your Goodneſs & Mercy are already extended to us in many particulars, So we ſhall find its happy Influences in the Redreſs of theſe our Grievances which we are bound in the moſt Suppliant manner to implore in Such a way as may be moſt agreeable to your known Wiſdom & Juſtice.

*Ordered* That the Speaker do now Sign the ſaid Addreſs

*Mr Merriweather* preſented to the Houſe two fair copys of the ſaid Addreſs which were received.

*Ordered* That *Mr Corbin* *Mr Merriweather* & *Mr Conway* do examine the ſaid copys with the Original.

*Mr Corbin* reported that the Copys of the Addreſs to the King were examined and did agree with the Original.

*Ordered* That the Speaker do now Sign the ſaid Copys.

*Reſolved* That the Speaker be deſired to tranſmitt to *William Byrd* Eſq<sup>r</sup> Agent for this Colony the ſaid Addreſs to the King with a Duplicate

The Houſe proceeded to take into conſideration the ſ<sup>d</sup> Inſtructions to the Agent which were again read and

A Debate ariſing thereupon

Upon a motion The Queſtion was put

That the Debate be Adjourned till to morrow

*Reſolved* in the Affirmative

*Mr Corbin* reported from the Committee appointed to Enquire what furniture has been provided for the Capitol what remains and in what Condition it is, Severall matters relating thereto, which the ſaid Committee had directed him to report, and which he delivered in at the Table.

*Ordered* That the ſaid Report do ly on the Table.

*Mr Corbin* reported that the perſons appointed had according to Order prepared a Bill Impowering the Treafurer of this Colony to put out at Intereſt a Summ not exceeding Ten thouſand pounds now in this hands, which he preſented to the Houſe, and the ſame was received and read the firſt time

*Ordered* That the ſaid Bill be read a ſecond time.

Then the Houſe Adjourned till to morrow morning 10 a'clock.

*Friday November the 21<sup>st</sup> 1718.*

**T**HE Houſe proceeded to take into conſideration the Amendments propoſed by the Council to the Bill Entituled *An Act to encourage the apprehending of Pyrates*

The Amendments were read and agreed to by the Houſe

*Ordered* That the Committee for Propoſitions & Grievances do carry the Bill to the Council and acquaint them that this Houſe hath agreed to the ſaid Amendments.

*Ordered* That the Committee for Elections & priviledges be revived.

A Petition of *Henry Howard* Sherif of *York* County, praying that a Goaler may be appointed to keep the Publick Goal built for Debtors committed by proceſs of the Generall Court, and that a Sallary may be fettled for the ſame, was Read

*Reſolved* That the ſaid petition be rejected

A Bill impowering the Treafurer of this Colony to put out at Interest a Sum not exceeding Ten thousand pounds now in his hands was read a Second time, and Severall Amendments made therein,

*Ordered* That the Bill with the Amendments be Ingroffed

The Houfe resumed the Adjourned Debate on the Instructions to *William Byrd* Agent for this Colony

The said Instructions containing Articles againft the Lieutenant Governor were read in the words following

Instructions to *William Byrd* Esq<sup>r</sup> Agent for the Colony of Virginia

1 To prefent to his Majefty as foon as conveniently you can, the Addrefs of this Houfe, and at the fame time to lay before His Majefty in the beft manner you can the following particulars againft the Lieu<sup>t</sup> Governor, and to the utmoft of your power endeavour his Removal.

2 That he hath by a finifter Conftitution of our Laws as much as in him lay perverted many of them, particularly that, for fettling the Titles and bounds of Lands, which makes it a Condition of the patents, that they are to forfeit them if they fail three years of paying their Quitt Rents, which he hath endeavoured to extend to lands granted before that Law, which have no fuch Condition in their patent or Grant.

3 His Conftitution of the Law for finifhing the Governor's houfe, whereby he lavifhes away the Country's money contrary to the intent of the Law, and even beyond what the words of the Law will bear, and hath hitherto refused any Redrefs therein

4 That he infists upon his having a Right of Patronage and hath prefented and Inducted Minifters contrary to our Law, and contrary to Sr *Edward Northeys* opinion upon our Laws

5 That he endeavoured to deter the Juftices of the Country from levying the Burgeffes Sallary Settled by Law.

6 That contrary to Instructions he appointed *George Walker* a known *Quaker* to execute the Office of Naval Officer in the Lower Diftrict of *James River*

7 That notwithstanding he hath frequently talkt of great danger the Country was in, yet he hath intirely neglected the Militia having given no Commiffion to any Officer fince the King's Acceffion to the Throne

8 That he hath refused to pafs Severall Laws after their paffing both houfes, which were not contrary to any known Inftitution nor relating to Trade.

9 That he hath by provoking Speeches & Meflages abused the Houfe of Burg<sup>s</sup> and thrown undeserved Reflections upon them to vindicate himfelf

10 That he hath without confent of the Council appointed new Judges to try free Subjects for their Lives.

11 That he hath condemned a perfon unheard.

12 That if any man falls under his difpleafure his Lawyers are discouraged, that it is difficult to get one to undertake a Caufe for them.

13 You are likewise desired to represent to His Majefty the Inconveniences that attend this Plantation's being governed by a Lieutenant while the Governor in Chief refides in *England*, and if poffible to obtain Redrefs therein.

14 And alfo you are to represent to his Majefty, that this Country hath no way to represent its Grievances but by an Agent, That we Seldom Complain but when much oppreffed by our Governor, in which cafe the Governor will never confent to the paying an Agent for his trouble and neceffary difburfements: Wherefore you are to endeavour to obtain an Inftitution to our Governor to confent to any fuch neceffary payment when the Houfe of Burgeffes fhall fee meet.

Upon a motion

*Resolved* That the confideration of the firft Article be referr'd till the other Articles are confidered.

Upon confideration of the Second Article, the houfe agreed to the fame with an Amendment

And

And upon confideration of the third Article, The Houfe agreed to the fame.  
 Then the Queftion was put on the fourth Article  
 That the fame be agreed to

It paffed in the Negative

And upon confideration of the fifth Article the Houfe agreed to y<sup>e</sup> fame.

And upon confideration of the Sixth & feventh Articles the fame were difagreed to by the Houfe

Then the Queftion was put on the eighth Article  
 That the fame be agreed to

It paffed in the Negative.

Then an Amendment was made to the ninth Article and  
 The Queftion put thereupon  
 That the fame be agreed to

*Refolved* In the Affirmative

And upon confideration of the 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, & 13<sup>th</sup> Articles, The fame were difagreed to by the Houfe

And upon confideration of the 14<sup>th</sup> Article, The Houfe agreed to the fame with an Amendment

And upon confideration of the firft Article, One Amendment was made therein, and agreed to by the Houfe.

The faid Inſtructions as amended & agreed to by the Houfe are as follow

Inſtructions to *William Byrd* Elq<sup>r</sup> Agent for the Colony of *Virginia*

1 To prefent to his Majeſty as ſoon as conveniently you can the Addreſs of this Houfe, and at the ſame time to lay before his Majeſty in the beſt manner you can, the following particulars againſt the Lieutenant Governor

2 That he hath by a miſconſtruction of our Laws as much as in him lay perverted many of them particularly that for Settling the Titles & bounds of Lands which makes it a condition of the Patents, that they are to forfeit them if they fail three years of paying their Quitt Rents, which he hath endeavoured to extend to Lands granted before that Law, which have no Such Condition in their Patent or Grant.

3. His Conſtruction of the Law for finiſhing the Governors houſe, whereby he lavifhes away the Countrys money, contrary to the intent of the Law, and even beyond what the words of the Law will bear, and hath hitherto refuſed any Redreſs therein.

4. That he endeavoured to deter the Juſtices of the Country from levying the Burgeſſes Salary Settled by Law.

5. That he hath by provoking Speeches & Meſſages abuſed the Houſe of Burgeſſes, and thrown undeſerved Reflections upon them.

6. And alſo you are to repreſent to his Majeſty that this Country hath no way to repreſent its Greivances but by an Agent; That we ſeldom complain but when much oppreſſed by our Governor, in which caſe the Governor will hardly be prevailed with to conſent to the paying an Agent for his trouble and neceſſary diſburſements; wherefore you are to endeavour to obtain an Inſtruction to our Governor to conſent to any ſuch neceſſary payment when the Houſe of Burgeſſes ſhall ſee meet

Upon a motion

The Queſtion was put

That it be an Additional Inſtruction to M<sup>r</sup> *Byrd* not to repreſent any other matter againſt the Lieu<sup>t</sup> Governor, than what is contained in the 1<sup>d</sup> Inſtructions

It paffed in the Negative.

*Ordered* That the Clerk deliver three fair Copys of the 1<sup>d</sup> Inſtructions to the Speaker to-morrow

A meſſage from the Council that they have paffed the Bill Ent<sup>d</sup> *An Act to encourage the apprehending & deſtroying of Pirates*, as amended And alſo that they have agreed to the Refolve of this Houſe relating to *John Brodnax's* Additional Sallary with an Addition

The ſaid Addition was read and agreed to by the Houſe.

*Ordered*

Ordered That the Clerk deliver to Mr *Speaker* two Copys of the Journal of this meeting, which he is desired to transmitt to the Agent  
Then the House Adjourned till tomorrow morning 10 a'clock.

*Saturday November the 22<sup>d</sup> 1718*

ORDERED That the Clerk deliver to Mr *Merriweather* Copys of such papers relating to the Address & Instructions, out of the Office of the House of Burgeses, as he shall have occasion of, to make out the charge against the Lieutenant Governor.

Upon a motion

Resolved That the words [against the Lieu<sup>t</sup> Governor] be added to the end of the first Article of the Instructions

Ordered That the Clerk do now add the same

The House being informed that Mr *Henry Irwin* hath paid the Sum of one hundred eighty eight pounds nine shillings & Eleven pence mentioned in the Report of the Committee to whom it was referr'd to examine the Treasurer's Accompts.

Upon a motion

Resolved That the Treasurer have leave to withdraw his Memorandum relating to the<sup>d</sup> Mr *Henry Irwin*.

A Memorial of *John Brodnax* proposing Several matters concerning Negroes committed to the Publick Goal, whose Masters are not known, being referr'd from the Governor & Council was read

Resolved That the said Memorial be considered on *Monday* next

Mr *Eskridge* reported from the Committee for Elections & priviledges, that they had had under their consideration the Return of the Writt for election of a Burgeses to serve in this present Generall Assembly for the County of *York* in the room of *James Burwell* dec<sup>d</sup> and were come to a Resolution thereupon, which they had directed him to report, and which he read in his place and delivered in at the Table.

And the same was again read and agreed to by the House *Viz'*

Resolved That Mr *Lawrence Smith* is duly returned a Burgeses to Serve in this present Generall Assembly for the said County of *York*.

An ingross'd Bill Entituled *An Act for Impowering the Treasurer of this Colony to put out at Interest a Sum not exceeding Ten thousand pounds now in his hands.* Was read the third time

Resolved That the Bill do pass.

Ordered That the Committee for Propositions & Grievances do carry the said Bill to the Council and desire their concurrence thereto

Then the House Adjourned till *Monday* morning 10 a'clock.

*Monday November the 24<sup>th</sup> 1718.*

A WRITTEN meffage from the Governor by Mr *Robertson*  
Mr *Speaker* and Gentlemen of the House of Burgeses,

Your proceedings for these two days past have been so extraordinary and mannaged in so thin a house that I think it highly necessary before his Majesty be troubled or the Publick Treafury of the Colony burthened that the Sentim<sup>ts</sup> of the whole Representatives of the people should be first known in a matter wherein the Kings Service and the Reputation of your Country as well as the Interest of your Governor is so greatly concerned.

As I am well satisfied that many of your absent Members did not expect any such proceedings nor would have concurred in these measures, I therefore take occasion to  
let

let you know that as soon as you have Summoned all your Members to attend and have got together a full house, I shall lay before you & fully explain some matters which seem to have been misunderstood by the greater part of your House, and which I am persuaded will serve to vindicate my self from the charge laid against me, and the Country from the Imputation of being a discontented people, In the mean time I desire you to proceed to some determinations on the Accounts of the Governors house which were laid before you Six months ago, That if any objection to the particular Articles should be the occasion of your not passing them in form, the same may be examined now while the persons concerned, are alive and present who can best answer your doubts. And I desire you will not be diverted by the Artifices of those who have misreported to you my Answer to the message sent me by Mr Clayton relating to those Accounts

*A Spotswood*

*Ordered* That Mr. Digges Mr. Grymes & Mr. Goodrich do examine such Bills as are Inrolled.

*Ordered* That the Messenger attending this House do Summon Such of the Members as are in Town to attend the Service of the House immediately.

Mr Digges reported that the persons Appointed had examined the severall Inroll'd Bills, and that the same were truly Inrolled.

Upon a motion

The House was called over

Then the House proceeded to take into consideration the Governors Message And the same was read.

A Debate arising thereupon. And the House being informed that Mr Ewele attended at the door, and desired leave to take his place in the House

Upon a motion

*Resolved* That the Debate be Adjourned

Mr Ewele was called to the Bar, and having given Reasons for absenting himself from the Service of the House

*Resolved* That he be admitted to take his place in the House

The House being informed that Mr Robinson is dangerously ill, & that bad Weather for some time past might have prevented Mr Waters & Mr Floyd coming over the Bay.

*Resolved* That their Absences be excused

Then the House resumed the Debate on the Governor's message

And thereupon

*Resolved* That all the absent Members be excused.

*Resolved* That an Address be prepared to the Governor in answer to the 4<sup>th</sup> Message.

*Ordered* That the Committee of Propositions & Grievances prepare the same

*Ordered* That the said Committee be revived.

A message from the Council that they are satisfied the Bill Ent<sup>d</sup> *An Act to encourage the apprehending & destroying of Pirates*, was truly Inrolled

A message from the Governor by Mr Robertson

Mr Speaker

The Governor commands the immediate Attendance of this House in the Council Chamber

Accordingly Mr Speaker with the House went up to attend his Honour, And being returned

Mr Speaker reported that his Hon<sup>r</sup> had been pleased to give his Assent to the following Bill *Viz*

*An Act to encourage the apprehending & destroying of Pirates*

A Petition of Thomas Jones in behalf of himself and the rest of the Members of the late Virginia Indian Company, praying to be repay'd the Expences of maintaining the Indian Hostages and Guard at Christanna according to a Resolve of the last Session, and also that this House would further consider the Accounts of the said Company, being referr'd from the Governor & Council, Was read.

*Resolved*

*Resolved* That the said petition be referr'd to the confideration of the next Seffion of Affembly.

A Petition of *John Holt* praying to be enabled to rebuild a Bridge over a Creek which divides *Hog* Island from the mainland, being referd from the Governor & Council, Was read

*Resolved* That the said Petition be Rejected

Then the Houfe Adjourned till tomorrow morning 10 aclock.

## *Tuesday November the 25<sup>th</sup> 1718*

WRITTEN meffage from the Council

**A** *Mr Speaker and Gentlemen of the Houfe of Burgeffes*  
Amongst the Claims of *Elizabeth City* County, The Council obferve that your Houfe hath difallowed that of *John Dun* for conveying *William Howard* a Pyrate to the Publick Goal which they concieve to be a Service as fitt to be rewarded as the conveying of any other Criminal, And therefore propofe that the aforefaid Claim be allowed; and for the fame reason they alfo propofe your allowing the Claim of *John Jones* of the fame County, who was impreffed for the guard of the said *William Howard*.

As to the Claim of *David Davis* for guarding Cap<sup>t</sup> *Forbes's* man to *Williamsburgh* The Council think it neceffary to acquaint you that thofe men were taken up on Suspicion of Piracy, and brought before the Governor in order to an Examination; and if thofe who execute the Order of the Government on fuch extraordinary occafions are to have no Allowance for their trouble It will be a great difcouragement to the Securing fuch Criminals

The Council cannot concieve the Reafon of your difallowing the Claim of *John Brodnax* of *York* County for ninety five pounds of tobacco being for the Dyet of the Pyrate in prifon, becaufe in their opinion the Law intended that all Criminals committed to the publick Goal fhould be Subfifted there at the publick charge; And as it cannot be denied but the bringing Pyrates to Juftice is as neceffary for the publick good as any other Criminal whatever. The Council do propofe that this Claim be alfo allowed before they give their Concurrence to the Book of Claims

The Houfe proceeded to the confideration of the said Meffage and the Same was read

*Resolved* That this Houfe doth difagree to the Amendments propofed by the Council in the said Meffage, to the Book of Claims

*Ordered* That the Committee of Claims do acquaint the Council that the Houfe hath difagreed to the said Amendments.

A Petition of *Miles Cary* Setting forth his Indifpofition, and praying that *Richard Cary* his Son may be admitted to officiate as Clerk of the Comm<sup>tee</sup> of Publick Claims, till he fhall be able to attend himfelf.

*Resolved* That the said *Richard Cary* be admitted accordingly

*Ordered* That a Copy of *Mr Corbins* Report, relating to the Accompts of the Governor's houfe be fent to *Mr Clayton* and delivered by *Mr Boufh* & *Mr Goodrich*, and that he be defired to return an Anfwer in Writing whether the Governor's Anfwer to the Meffage Sent him by the Committee appointed to examine the said Acco<sup>ts</sup> be truly reported.

*Mr Corbin* reported that the perfons appointed had (according to order) prepared an Addrefs to the Governor which he read in his place, & delivered in at the Table, where the said Addrefs was agaid Read and agreed to by the Houfe with an Amendment and is as follows.

To the Hon<sup>ble</sup> *Alexander Spotfwood* His Majefties Lieutenant Governor of Virginia

*The humble Addrefs of the Houfe of Burgeffes*

*May it please Yo<sup>r</sup> Hon<sup>r</sup>.*

We his Majeftys moft Dutifull and Loyal Subjects and Burgeffes affembled, having taken into confideration Yo<sup>r</sup> Hon<sup>rs</sup> Meffage wherein you are pleased to mention fome extraordinary



extraordinary proceedings managed in a thin house beg leave to inform Yo<sup>r</sup> Honour that however extraordinary they are in their nature, there doth not appear to this House any irregularity in their proceedings; And as nothing but a just Sense of our Duty to our Sovereign and Country did induce us to undertake them, So we did not apprehend any Stop could have been given to them by a fuller House but on the contrary have good Reason to think the same Votes would have pass'd w<sup>th</sup> a greater Majority

We also assure Yo<sup>r</sup> Hon<sup>r</sup> that upon receipt of Yo<sup>r</sup> Message We called over the House and find that four Members from the Eastern shore could not be here tho<sup>tho</sup> they had endeavour'd it, that two of our Members are in *England*, two others had leave to be absent about business, and that four others were detained by sickness, one Member in the House declined to give his Vote, and two Members then in Town came not in time to the House.

Your Honour having refused to assent to So many Laws which at a great charge to the Country had been prepared last Session made us of Opinion that the greatest Service we could do the Country, was to make this Session as short as possible; Wherefore we went upon no Laws but such as we were informed were agreeable either to your Instructions or inclinations: and having finished those We hope Yo<sup>r</sup> Hon<sup>r</sup> will not think fitt to detain us any longer, it being inconsistent with the practice of Assemblies as well as Parliaments, to enter into the debate of any matter already determined.

The Accounts you desire us to examine & pass in forme, being part of our Complaint to His Majesty, We think it not proper to consider them any further till his Royal pleasure be known therein

*Ordered* That the said Address be fairly transcribed.

Upon a motion, The Question was put

That the said Address be presented by the whole House

*Resolved* in the Affirmative

*Ordered* That the Committee for Propositions & Grievances wait upon his Hon<sup>r</sup> to know when he will be attended with the said Address

*Resolved* That the Memorial of *John Brodnax* referr'd to be considered yesterday be referr'd to the consideration of the next Session of Assembly.

And then the House Adjourned till Tomorrow morning 10 a'clock

*Wednesday November 26<sup>th</sup> 1718.*

**O**RDERED That the Speaker Sign the Address of this House to the Gov<sup>r</sup>

A Message from the Council that they have passed the Bill Entit<sup>d</sup> *An Act for empowering the Treasurer of this Colony to put out at Interest a Sum no exceeding Ten thousand pounds now in his hands, w<sup>thout</sup> any Amendment.*

That they have passed the Treasurers Accompts, to which the Gov<sup>r</sup> has signed his Assent

That they are Satisfy'd the Bill Entitled *An Act Declaring who shall not bear Office in this Country*, is truly Inrolled.

And also that they do not insist on the Amendments propos'd by them to the book of Claims, but that they have agreed to the said Book as the same was prepared by this House.

*Ordered* That the Committee for Publick Claims carry the book of Claims to the Governor; and desire his Assent thereto.

A Petition of *Henry Hayward*, Setting forth Reasons for appointing a Goaler to keep the Country Goal built for Debtors, and praying that one might be appointed, and a Salary established, or that the Sherif of *York* for the time being might have an yearly Allowance proportionate to the Expence & hazard of keeping the same, being referr'd from the Governor & Council Was read

*Resolved* That the said petition be rejected

Mr *Goodrich* reported that the persons appointed had (according to order) waited on the Governor with the Book of Claims, and desired his Hon<sup>r</sup>s Assent thereto, and that he was pleased to answer, he would take time to consider it

Upon a motion made

*Resolved* That Mr *Grymes* be appointed Chairman of the Committee for Propositions Grievances in the absence of Mr *Corbin*.

Mr *Grymes* reported that the Committee for Propositions & Grievances had, according to order, waited on the Governor at his House, to know when his Hon<sup>r</sup> would be attended by this House with their Address, And that he was pleased to return the following Answer

I am glad to find your House is to bring their Answer to my Message, And to the end the Town may see what a Grand Retinue of Accusers yo<sup>r</sup> Speaker may have along with him, I appoint this place to receive it Tomorrow morning at Ten a'clock

Mr *Marable* moving for leave to be absent To-morrow,

The Question was put

That Mr *Marable* have leave to be absent tomorrow from the Service of the House

It passed in the Negative

*Ordered* That the House be called over to-morrow morning & nothing to Intervene

*Resolved* That the House be Adjourned till Tomorrow morning nine a'clock

And the House was accordingly Adjourned.

### *Thursday November the 27<sup>th</sup> 1718*

THE House according to order was called over.

*Resolved* That the Absent members be excused

Mr *Speaker* with the House went to attend the Governor with their Address, and being returned acquainted the House, that he had presented the said Address to the Governor and that his Hon<sup>r</sup> was pleased to say he would send his Answer in Writing

A written message from the Governor by Mr *Robertson*

Mr *Speaker* and Gentlemen of the House of Burgeffes,

I have perused the book of Claims sent by yo<sup>r</sup> House for my Concurrence and am very desirous the publick Creditors should be duly paid for their Services done their Country; and as during my administration I have never denied to pass any one Claim, which was either directed by Law authorized by Custom or which could be interpreted for the publick Service, So on the other hand, I claim it as a Right due to the Kings Governor, as well to propose reasonable Allowances to be made in the Book of Claims as to reject such Articles as are unjust in themselves, or brought in, contrary to former Practice.

There are in this Book of Claims two things, wherein I cannot concur with you.

First I cannot agree that the charge of committing to the publick Goal and Subfisting therein a Pyrate tryed & condemned before yo<sup>r</sup> late Act, is not a Country charge; because I cannot perceive the difference between Pyrates & other Criminals, the charges of whose imprisonment are constantly paid by the Publick; it being at least as necessary that such Offenders should be brought to punishment as any others. And therefore I propose that the small Expence which has arisen by the Commitment & Imprisonment of *William Howard* the Pyrate and the taking up Cap<sup>t</sup> *Forbes*'s men, who were also suspected of Pyracy, and (tho there was then no proof against them) have been since discovered to be real Pyrates may be allowed in the book of Claims. Nevertheless, if you do insist on yo<sup>r</sup> disallowance of those Claims. I shall rather chuse to pay the same myself than to put the Country to a far greater charge in spending time to convince you of the Justice of discharging this Debt: but with this Express Condition that my Assent to any other part of the Book of Claims shall not be taken as a precedent for disallowing

difallowing the like demands for the future, Seeing former Affemblys have thought fitt to defray charges of the like nature.

In the next place, I cannot agree to the Article of £300 to Mr *Byrd* as Agent for this Colony for the following Reafons.

1. Because I cannot allow a perfon to be Agent for this Colony (as yo<sup>r</sup> Book of Claims denominates Mr *Byrd*) who is only appointed by a Vote of your Houfe, without the concurrence of the other Members of the Legiflative power.

2. Because I know no Service he has done, nor is any Service mentioned in yo<sup>r</sup> Book of Claims to entitle him to fo confiderable a Reward: For as nothing has ever been allowed in that book, but as a Reward for Services performed, I'm confident you cannot make appear that he has done any one thing to deferve this Allowance, If this Gratification of yours be for prefenting to his Majefty the Addrefs of yo<sup>r</sup> laft Seffion, fhould I give my Affent thereto, I fhould act, as you have done, expreffly contrary to the declared Sentiments of my Sovereign which has appointed all fuch Petitions & Addreffes to be tranfmitted by the hands of your Governor, and has condemned as Irregular the prefenting the fame by particular Agents chofen by either Houfe of Affembly; and this Yo<sup>r</sup> Houfe was not ignorant of, at the time you appointed Mr *Byrd* to be yo<sup>r</sup> Agent.

3. As I was ready to have tranfmitted to His Majefty the Addrefs of Yo<sup>r</sup> late Seffion, had you defired me, So I am now ready to tranfmit the Addrefs of this Seffion together with yo<sup>r</sup> Articles thò they contain a Charge againft myfelf, and that without any Expence to the Country: and I believe it will be as agreeable to his Majefty to receive the Addreffes of his Subjects of *Virginia* by the hands of Coll<sup>o</sup> *Blakifton*, whom his Majefty has allowed to be Agent for this Colony as from the Hon<sup>ble</sup> W<sup>m</sup> *Byrd* (as you call him) whom you have thought fitt to chufe and give the Appellation of Agent for *Virginia*

4. All Claims allowed to be confidered in yo<sup>r</sup> book, are either directed by Law, or authorized by ancient Custom, but this Article to Mr *Byrd* is warranted by neither. Former Houfes of Burgeffes have frequently nominated Agents and given Recompences for their Services: but no fuch have ever been admitted into the Book of Claims. The ufual way of gratifying fuch Agents having been till now, either by eftablifhing their Sallary by Law, or afcertaining their Allowance by a Refolve: To either of which the other parts of the Legiflature might fignify their Affent to [or] Diffent without drawing the juft Claims of other Publick Creditors into controverfy with a matter entirely foreign thereto. Thus the Wifdom & honeft Simplicity of your Anceftors always Separated the lawfull & undisputed Claims of the people, from any thing of a different nature which might clogg their paffing. And therefore as this Allowance to Mr *Byrd* is without precedent, and that no one Instance can be given fince the Settlement of the Colony of any fuch Allowance to an Agent being added to the Book of Claims I cannot give my Affent to that Article

5. As it is one Article of yo<sup>r</sup> Charge againft Yo<sup>r</sup> Governor, that he will hardly be prevailed with to yield to the paying an Agent to profecute a Complaint againft himfelf And thereupon you have directed Mr *Byrd* to obtain an Inftruction from the King to oblige the Governor to confent to any fuch payment when Yo<sup>r</sup> Houfe fhall fee meet: I think it is thereby very plain that you have aforehand befpoke my Diffent to Yo<sup>r</sup> Agents Allowance, and that you have likewise appealed to His Majefty: And therefore it would be unfitt for me to anticipate his Ma<sup>ty</sup>s determination in a point which will come in Judgment before him, whether I affent to this Article of your Claims or not.

Having thus laid open the Reafons why I cannot confent to the Allowance to Mr *Byrd* in the manner you have brought it in; I now tell you that I am ready to give my Affent to all the other Articles in the Book of Claims: And for that one Article in difpute I propofe it may be left to his Majeftys Determination, Or if you are unwilling to expunge it out of your Book of Claims, I will even pafs That too with this Proviso that no Warrant or Order fhall iffue for the payment thereof till His Maj<sup>ties</sup> pleafure be known therein; and with this Protection that the fuffering the faid Article to ftand in the Book

of Claims shall not be a precedent hereafter, for either House of Assembly to insert any such Allowances or Claim not warranted by Law or former Practice in any future Book of Claims

If you refuse this offer, it will then appear to the Country whose fault it is that the Book of Claims hath not pass'd and that the Publick Creditors are left unpaid, And this House of Burgesses will remain to Posterity as the first that ever made the payment of the just demands of the people to depend on the gratification of one particular Favourite of their own

November the 27<sup>th</sup> 1718

*A Spotswood.*

The House proceeded to the consideration of the 1<sup>st</sup> Message, And the same was read, and

After a Debate

Two Questions were proposed to be put

That the Allowance of three hundred pound to Mr Byrd added to the Book of Claims be expunged, and

That the Book of Claims as the same has pass'd this House & the Council, be adhered to

And after a previous Question

The Question was put

That the Book of Claims as the same has pass'd this House and the Council, be adhered to

*Resolved* in the Affirmative 21 Yeas & 15 Nays

*Resolved* That a message be prepared to the Governor on the said Resolve

And a Message was accordingly prepared and agreed to by the House as follows.

*To the Hon<sup>ble</sup> Alexander Spotswood his Majesties Lieuten<sup>t</sup> Governor & Commander in Chief of this Dominion*

*May it please Your Honour*

The House of Burgesses having had under their consideration the Written Message sent to them by Your Hon<sup>r</sup> on this day beg leave to inform Your Hon<sup>r</sup> that they do adhere to the Book of Claims as the same has pass'd this House & the Council, and do desire Your Hon<sup>rs</sup> concurrence thereto as usual

*Ordered* That the said Message be fairly transcribed and signed by the Speaker, and that the Committee for Publick Claims do carry the same to the Governor

Mr Boush reported that the persons appointed had, according to order delivered to Mr Clayton a copy of Mr Corbins Report relating to the Accounts of the Governor's house, and desired him to return an Answer in Writing, whether the Governors Answer to the Message Sent him by the Committee appointed to examine the said Acco<sup>ts</sup> be truly reported, and that Mr Clayton had given him a Writing wherein was contained his Answer to that matter which he delivered in at the Table where the same was read

*Ordered* That the said Answer do ly on the Table

A Message from the Governor by Mr Robertfon

Mr Speaker

I am commanded by the Governor to return to this House the book of Claims, and to acquaint you that His Hon<sup>r</sup> has assented to all the Articles in the said Book, except those mentioned in his message of this day.

The words of the Governors Assent were read and are as follows

November the 27<sup>th</sup> 1718

I do assent to all the Articles in this Book of Claims Except so far as concerns my concurrence to the disallowance of the Claims for the Commitment of the Pyrate, and accept that Article of three hundred pounds to the Agent, To which I do dissent for the Reasons mentioned in my message sent this day to the House of Burgesses

*A Spotswood.*

*Resolved* That the same be Considered tomorrow

Then the House Adjourned till Tomorrow morning 9 a'clock

*Friday*

*Friday November the 28<sup>th</sup> 1718*

**R**ESOLVED That Mr *Hall* have leave to go into the Country  
The Houfe proceeded to take into confideration the Governor's Exception  
to the Book of Claims

And after a Debate, Upon a motion

The Queftion was put

That a Committee be appointed to proportion the Publick Levy on the Book of  
Claims reported this Seffion

It paffed in the Negative 25 Nays & 12 Yeas

A Committee was appointed to proportion the Publick Levy on the Book of Claims  
reported the laft Seffion *Vizt*

Mr *Eskridge*

Mr *Bolling*.....Mr *Conway*

Mr *Goodrich*.....Mr *Buckner*

Ordered That the faid Committee prepare & bring in a Bill for raifing the Publick  
Levy.

A written Meffage from the Governor by Mr *Robertfon*

Mr *Speaker and Gentlemen of the Houfe of Burgeffes,*

The Addrefs you delivered me yefterday contains many things to which I have  
juft exceptions; but when I confider how many well meaning men have been drawn  
unwarily to give their Votes to what they do not approve, and are now tyed down by  
that fudden & precipitate Act, I fhall waive at prefent the Reflections I might with  
Juftice make on your proceedings, which however regular they may feem to the Con-  
trivers, I am perfwaded will appear in a different Light to all whole Eyes are not  
blinded by prejudice and whole Judgments are unbiassed

The world will judge whether a juft Senfe of Duty to Yo<sup>r</sup> Sovereign could be the  
only Motive for Yo<sup>r</sup> framing a Charge ag<sup>t</sup> his Representative for promoting his Maj<sup>ties</sup>  
Service: And whether you have acted for the honour of your Country in drawing up  
in an unufual Manner a General Accufation againft yo<sup>r</sup> Governor, which cannot be  
made out by any of the Articles of your charge, admitting them to be true, as it is evi-  
dent they are not.

I fhall only obferve upon the account you give of the Abfence of Yo<sup>r</sup> Members, that  
when you brought in yo<sup>r</sup> Charge, your Houfe was thinner than at any other time during  
this Seffion, and fome who were not in the Secret were told before they went out of  
Town, that nothing more would be tranfacted than only laying the Levy.

And as to my refufing any Law which you had prepared laft Seffion 'Tis well there  
are fworn Officers to enter your Governors Speeches in Affembly, and whoever reads  
mine upon your Adjournment & Prorogation will find a plain Contradiction to this  
Affertion of Yours. and fome who know how you have employed your fitting this  
Seffion, will fay that the tenth part of the time which you Spent in enquiring after a  
few Leather Chairs & brafs Sconces, might have ferved for compleating the Bills you  
had begun upon; and even Sufficient time found for preparing matters to have an  
Orderly Tryal in an Affair of fo high confequence as a Charge againft yo<sup>r</sup> Governor and  
Lieutenant Governor

The Treatment I have mett in relation to the Accounts of the Gov<sup>rs</sup> Houfe, will  
aftonifh all Mankind, but thofe who have occafioned that proceeding of yours. When  
you asked for the late Acco<sup>ts</sup> of that Building I fent a meffage to yo<sup>r</sup> Committee that I  
expected yo<sup>r</sup> Houfe would examine & pafs thofe which had remained fo long before  
you, ere you took the trouble of infpecting new ones. Your Committee man affured  
the Gent<sup>n</sup> who delivered this meffage that the f<sup>d</sup> Accompts were Actually paffed. And  
then he reports to your Houfe only one part of what had been told him, without men-  
tioning at all the reafons for not troubling you with new Accounts at this time. Upon  
which a Charge is formed againft me, And now you Say thefe Accompts muft be left

to

to his Majesty's determination. It is strange Doctrine & irreverently trifling with Majesty, to expect that your Sovereign should examine a thousand pound Accompts wherein there may be above five hundred Articles, when you will not find leisure to consider the same, nor do me Justice to point at the Articles against which you object. But Seeing so many vile Aspersions Spread abroad, as if I had defrauded the Country in some Articles of those Accounts, I do insist that those particulars be forthwith declared, that I may have the opportunity of vindicating my Reputation

In fine Gent<sup>l</sup> I am so confident of the unreasonableness of every Article of Your Charge against me, and so well assured of his Majesty's great Justice. That I make this Offer *Viz<sup>t</sup>*. Let my Accusers lay down a thousand pounds, I will deposit the like Sum in the hands of any indifferent Person and let the whole go with the Merits of the Cause. This I think must be allowed a Reasonable proposal both in regard to your Country & to my self. For as your House have owned very lately the happy & flourishing Condition of this Colony, and it being undeniable that no one Grievance has been brought before you this Session to be the ground of Your Charge, it is as unjust that Your Country should be burdened with the prosecution of the private Quarrels of Prejudiced men, as it is that Your Governor should have no Recompence for the injury done to his Reputation.

November the 28<sup>th</sup> 1718

A Spotfwood

The House proceeded to the Consideration of the 1<sup>st</sup> Message and the same was read, and thereupon

*Resolved* That this House doth not think proper to declare any particular Articles wherein the Governor has lavished away the Country's money, about the Governors house, the Charge against him being General

*Resolved* That no other Answer be returned to the said Message

Then the House Adjourned till Tomorrow morning 9 a'clock

### Saturday November 29<sup>th</sup> 1718

**M**R *Esckridge* reported that the Committee appointed had, according to order proportioned the Publick Levy, which amounts to 7½ P poll, and that the severall Proportions were entered in a book which the said Comm<sup>tee</sup> had directed him to report when the House was ready to receive it, And the same was received

Mr *Esckridge* also reported that the 1<sup>st</sup> Committee had, according to order prepared a Bill for raising a Publick Levy, which he presented to the House and the same was received, and read the first time

The Book of Proportions was read & agreed to by the House with an Amendment  
A Bill for raising a publick Levy Was read the second time.

*Ordered* That the Bill be Ingrossed

*Ordered* That the Committee who prepared the Book of Propositions do carry the same to the Council, and desire their concurrence thereto.

Upon a motion

*Ordered* That Mr *Clayton's* Answer relating to Mr *Corbin's* Report of the Governor's Answer to the Message sent him by the Committee appointed to examine the Acco<sup>ts</sup> of Mr *Holloway* & Mr *Clayton* be entered on the Journal of this House

The said Answer is as follows

*To The Right Worshipfull The Speaker of the House of Burgeesses*

An order of your House being this day Delivered to me by Mr *Boush* and Mr *Goodrich* together with a Copy of Mr *Corbins* Report relating to the Accounts of the Governor's house, by which order I am desired to return an Answer in Writing whether the Governor's Answer to the Message, Sent him by the Committee appointed to examine the said Accounts, be truly reported: After acknowledging the civil Treatment of your House in desiring the Relation of this matter in the manner they have been pleased to

use,

use, I muſt beg Leave to give the Houſe a brief Narrative of what paſſed in this Affair, previous to my delivering the Governor's Anſwer to the ſaid Meſſage, without which as I conceive, the whole Truth of this matter cannot appear

On *Tueſday* the 18<sup>th</sup> of this Inſtant in the Evening Mr *Corbin* came to my houſe, and told me he came from the Committee for an account of the money iſſued ſince the laſt Seſſion for the uſe of the Governors houſe.

My Anſwer was I had not that account, but that I would wait upon the Governor that night and acquaint him with what the Committee deſired and would let him know the Governor's Anſwer.

That night I waited on the Governor and acquainted him with the meſſage I had received from the Committee; to which I had then no determinate Anſwer.

The next morning I did receive a Letter from the Governor in which he told me, I might tell the Committee from him that they had already had laid before them the ſaid Accounts carried on to *Chriſtmas* laſt, And ſince he obſerved that they had not hitherto found time to paſs the Accounts w<sup>ch</sup> they received above Six months ago, he could not expect they ſhould be now at leiſure to Inſpect new Accounts

On *thurſday* the 20<sup>th</sup> inſtant in the morning Mr *Corbin* came again to me to know what Anſwer I had received from the Governor, I told him the Governor ordered me to tell the Committee he did not expect they would have called for any new Accounts of the money diſburſed for the Governors houſe, Seeing that they had not paſſed thoſe Accounts which were laid before them Six months ago.

To this Mr *Corbin* replied, The Governor was under a miſtake and ſaid he was Sorry the proceedings of the Houſe were miſrepreſented, For that the Houſe had paſſed thoſe Accounts.

I told Mr *Corbin*, I did believe he was miſtaken, and did then prepare to meet him at the Capitol, and that he and I ſhould inſpect the Journal of the Houſe and ſee how the matter ſtood there.

In about an hour after I went to the Capitol, and Mr *Corbin* and I did ſearch the ſd Journal, where we found an Entry to the Effect following; The houſe having conſidered the Scheme refer'd to be conſidered on this day, Ordered that the ſame be Lodged in the Office of the Houſe of Burgeſſes, with the Accounts of the Governor's houſe and other Buildings.

Upon reading this Entry, Mr *Corbin* ſaid, it appeared the Houſe had paſſed thoſe Accounts, that it was the uſual way of entering Such matters when they were paſſ'd, And that the Houſe would not call for thoſe Accounts again

Mr *Corbin* then told me he was juſt going into the Houſe, and muſt make Report of this matter preſently; and ſaid to me, I will tell the Houſe the Accounts are not ready, My Anſwer was you may tell that to the Houſe, for it is true. Mr *Corbin* then ſaid to me, I will not tell the Houſe the reaſon you give from the Governor why they are not ready, My Anſwer to that was. If thoſe former accounts have paſſ'd the Houſe, I would not have you give it for a reaſon that theſe latter Acco<sup>ts</sup> are not ready, becauſe the former are not paſſed.

Immediately after this Mr *Corbin* went into the Houſe.

This Mr *Speaker* is a relation of all the diſcourſe which paſſ'd between Mr *Corbin* and me upon occaſion of the ſaid Meſſage to me from the Committee, according to the beſt recollection I can make, and is nothing but what is true, from whence this Houſe may judge how truly the Governors Anſwer is reported

*November* the 26<sup>th</sup> 1718

*John Clayton*

An Ingroſſed Bill Entituled *An Act for raiſing a publick Levy* Was read the third time.

*Reſolved* That the Bill do paſs

*Ordered* That the Committee who prepared the ſaid Bill do carry the ſame to the Council and deſire their Concurrence thereto.

A written Message from the Governor by Mr *Robertson*  
 Mr *Speaker* and Gentlemen of the House of Burgeſſes

Upon peruſing this day the minuts of your Yeſterday's proceedings I percieve you are reſolved neither to give me Security for your proſecuting yo<sup>r</sup> Complaint againſt me, nor to be more particular in your charge, and have even reſolved not to anſwer my meſſage: Wherefore I ſhall trouble you with no more this Seſſion except the preſent, which I ſent to exhort you to diſpatch what is before you, for the Publick Service, And I ſhall be ready on *Monday* next to receive ſuch Bills as you ſhall then be prepar'd to offer for my Affent

Saturday Novemb<sup>r</sup> 29<sup>th</sup> 1718

A *Spotswood*

A Meſſage from Mr *Robertſon*, That the Governor and Council have affented to the Book of Proportions.

And that the Council have paſſed the Bill Entituled *An Act for Raiſing a Publick Levy without any Amendment*

Ordered That Mr *Digges*, Mr *Grymes* & Mr *Eskridge* do examine the ſeverall Inroll'd Bills, and they withdrew, and being Returned.

Mr *Digges* reported that the ſeveral Bills paſſed this Houſe and the Council, were truly Inrolled.

Ordered That Mr *Digges*, Mr *Grymes* & Mr *Eskridge* do carry the ſaid Bills to the Council for their peruſal.

A meſſage from the Council That they are Satisfyed the Severall Bills ſent up to them are truly Inrolled.

Then the Houſe Adjourned till *Monday* morning 10 a'clock.

### *Monday December the 1<sup>st</sup> 1718*

**A** MOTION being made

Ordered That the Clerk deliver to Mr *Speaker* or his Order two Copys of the Journal of this Houſe within Ten days.

A meſſage from the Governor by Mr *Robertſon*.

Mr *Speaker*

The Governor commands the immediate Attendance of this Houſe in the Council Chamber

Accordingly Mr *Speaker* with the Houſe went up to attend the Governor, where his Honour was pleaſed to give his Affent to the following Bills *Viz*.

*An Act for Impowering the Treafurer of this Colony to put out at Intereſt a Sum not exceeding Ten thouſand pounds now in his hands.*

*An Act for Raiſing a Publick Levy*

After paſſing thoſe Bills His Hon<sup>r</sup> made a Speech in the Words following

*Gentlemen of the Houſe of Burgeſſes*

The late Singular management and Extraordinary proceedings in your Houſe, neceſſarily require that my concluding Speech to this Seſſion ſhould diſplay ſome paſſages in my Adminiſtration & your Conduct, in order to vindicate my ſelf and the Country from the Imputations of an Oppreſſing Governor and a diſcontented people.

Far from being diſturbed at your violent Impeachments, I take this to be an happy Crifis, when the Country will be no longer impoſed upon by malicious Whiſperers, Clandeftine Informers, and Anonymous Libellers of Government; for none could have been more Eager than my preſent Accuſers to lay open every Act of Male Adminiſtration, and it cannot be doubted but that they have now drawn up the Total of my Charge.

Yet where is one Oppreſſive Act or ſingle proof of publick diſcontent ſet forth? When did an Affembly ever fit before without receiving ſome one Grievance from the People? Or when did their Repreſentatives acknowledge the Peacefull & Flouriſhing Condition



Condition of this Colony more Remarkable than you yourselves have done this year? And yet this is the Juncture you have chosen to dream of Oppression and Discontent!

I know some Seditious Spirits have long grudged me the Honour of Conducting this Province (by the Blessing of God) to its present happy State; and it's not very unaccountable, that a Cataline Crew of Male Contents should engage a few unwary men to join in their Conspiracy for shifting the Administration into other hands. But still, Secure under the protection of my Prince's Justice, I remain undaunted at all their angry doings, and tho' I am a Commander in Chief without a single Centinel to defend me in this Dominion, Yet Seeing So many Worthy Gentlemen protest against their proceedings, I dare now tell the Guilty to their faces, that I will still discountenance all such as I discover to be undutiful to their Prince, or Ungrateful to their Mother Country, and will continue to oppose that Reckless Faction which seems to be unhappily entailed upon this government, and whose Machinations have in all Governor's times disturbed the publick Tranquility of the Colony merely to gratify their own private Repentm<sup>ts</sup>

'Tis fitt the means these men have used to carry their present Point, with the Nature of their Charge and the Articles they exhibit to make the same good, be fairly laid open to the world.

At the opening of this Session, I gave you to understand that I had nought to lay before you, and your House seemed so little disposed to go upon business, that you began very early to refer matters to the consideration of the next Assembly; So that many Members apprehending this would be a short Session, and wherein nothing of moment would be transacted, refrained from coming and others got leave to return home, which I find was readily granted to such as were judged not easy to be brought into the measures that were then forming with the utmost Secrecy.

When yo<sup>r</sup> House was thus modelled, a paper called An Address to the King, and a Duplicate thereof fairly drawn up to be signed, was produced by a Member in a most Surprising & Extraordinary manner without any previous Motion to prepare and bring it in: and this containing a generall Complaint as well of your Governor in *England* as against your Lieutenant Governor here, was admitted and your Speaker commanded immediately to sign the same, without debating first upon the particular Charges, but referring them to be argued next day.

Thus the Secret Managers of this Plott contrived to have the Judgment first Subscribed, and the merits of the Cause tried afterwards; and by a bare Sight of a long Roll of Articles, drew some too Credulous persons to vote for passing the Address: And tho' the next day upon examining the Articles, three fourths of them were struck out as groundless, yet still the Address being Signed, the Remainder like the Sibils books must serve to make up the Sum of the Charge.

Wherefore I have now only four Articles to take notice of: Yet as we both appeal to *Cæsar*, I will not pretend to argue here Points that can be fairly in Judgment before my Royal Master, but shall only observe that you have laid your Charge, as if you expected no Determination, and only aimed to deceive yo<sup>r</sup> Prince and traduce your Governour.

In the first & second Articles, the Crime alledged, is, that I (who have but a 13<sup>th</sup> Vote in the Court of Judicature) put a Misconstruction upon two Laws; in the 3<sup>d</sup> that I have put a Quare to the Attorney Generall whether there be a Law for levying your pay. and in the 4<sup>th</sup> that I have reflected on your proceedings.

As this is the very Essence of all your Articles against me, can any unprejudiced Judges say that if they were fully proved (which I deny that they can be) they would make good your heavy Grievances set forth in your Address to his Majesty? wherein you alledge that I have attempted to subvert the Constitution of your Government, that I have deprived you of yo<sup>r</sup> Ancient Rights and Priviledges, and do daily exercise many hardships upon his Majesties good Subjects.

But

<sup>1</sup> "Quare" should be Quære, now usually written Query.

But lest Strangers to our Contention should apprehend there might be some Attempts towards Subverting the Constitution by misconstruing these two Laws, 'tis necessary to explain that my Interpretation of the one was no more than to enforce a due payment of the King's Quitt Rents; and of the other to compleat a building I was impowered by Law to finish.

If it be the Right and priviledge of the Burgeffes, when in their House, to fall foul on their Governour with Scurrilous Expressions; to manifest a disregard to the Interest of the Crown, and to run unreasonably Counter to what their Sovereign recommends, I must then own my Reproofs heretofore to have been Spared: But untill I am satisfied that yo<sup>r</sup> House is to be allowed such freedom of Speech and behaviour towards your Prince and his Lieutenant, I shall think I am in Duty bound to rebuke you; particularly for your wilfull Transgression of the Rule your Sovereign had prescribed for the presenting your Addreffes, when you the last Summer transmitted one to the King by an Agent of your own Appointment, And in like manner for offering me now a Reenacted Law, lyable to the very Objection for which his present Majesty repealed the same.

Nor must I pass over your trifling now with Sacred Majesty, when you expect your Prince should audit a Thousand pounds Acco<sup>t</sup> of perhaps five hundred Articles, while you will not vouchsafe to consider the same yo<sup>r</sup> Selves.

And surely it will be Reckoned an Irreverent Presumption in your House to fly with yo<sup>r</sup> peevish Clamours to our Royal Master at home, ere you had fairly applied to his Lieutenant here for Redress; Especially after you appear So conscious of your weak and groundless Charge, as to deny to give Security for prosecuting the same; For you know, I have offered, and you my Accusers refused to [place?] a Thousand pounds to go with the merits of the Cause.

*Gentlemen of the Council & House of Burgeffes*

I must not part with you, without rendering you just thanks for your ready Compliance with my Proposition of giving Rewards for the Suppressing of Pirates, And I may now tell you that I have already fitted out Sloops, and taken such Measures against those in *North Carolina*, that I am pretty confident of soon destroying that Wicked Crew there, And by a letter received last night from thence I expect that Notorious Pirate Tach is seized.

In fine Gentlemen

Percieving the Season of the year and your Inclinations to require a Recess, I shall now prorogue you to the 12<sup>th</sup> of May, And this Assembly is accordingly prorouged to *Tuesday* the 12<sup>th</sup> of May next.

# JOURNAL

OF THE

# HOUSE OF BURGESSES

AT A

## GENERAL ASSEMBLY

begun and held at his Majesties Royal Capitol in the City of WILLIAMSBURGH On *Wednesday* the Second day of *November* In the Seventh year of the Reign of our Sovereign Lord GEORGE By the Grace of God Of *Great Britain France and Ireland* King Defender of the ffaith &c. And in the year of our Lord One Thousand Seven hundred and Twenty.

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RICHMOND, VIRGINIA.

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# A GENERAL ASSEMBLY

**B**EGUN and held at his Majesties Royal Capitol in the City of WILLIAMSBURGH On *Wednesday* the Second day of *November* In the Seventh year of the Reign of our Sovereign Lord GEORGE By the Grace of God Of *Great Britain France and Ireland* King Defender of the ffaith &c. And in the year of our Lord One Thousand Seven hundred and Twenty.

On which day being the first day of the Sessions of this Assembly, about five a Clock in the afternoon *Nathaniel Harrison Cole Diggs* and *Peter Beverley Esq<sup>rs</sup>* who were Commiffionated by the Honorable his Majesties Liev<sup>t</sup> Governour and Command<sup>r</sup> in Chief of this Colony to Administer the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy, the abjuration Oath, the Test, and Oath of a Burgefs to all persons returned as members before they fate in the House. Came into the Conference Chamber the place appointed for that purpose. And the Clerk of the Secretarys Office presenting a List of the Burgeffes returned to Serve in this present Assembly and the Clerk of the General Assembly attending according to the duty of his place: The said *Nathaniel Harrison Cole Diggs* and *Peter Beverley Esq<sup>rs</sup>* did according to the Power to them given orderly and distinctly Administer the Said Oathes to all the Members who then appeared And a List was taken of the Names of all the Members that took the said Oaths And after the Members had seated themselves in the House of Burgeffes M<sup>r</sup> *Corbin* M<sup>r</sup> *Eskridge* M<sup>r</sup> *Roscow*, M<sup>r</sup> *Waller*, and M<sup>r</sup> *Barber* went to Acquaint the Governo<sup>r</sup> That the House was met And being returned M<sup>r</sup> *Corbin* delivered a message from the Governour That he did command this House to attend him immediately in the Council Chamber.—

And accordingly the House went up to attend the Govern<sup>r</sup> in the Council Chamber.



THE  
JOURNAL  
OF THE  
HOUSE OF BURGESSES

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*Wednesday the 2<sup>d</sup> day of November 1720.*

THE House having attended the Govern<sup>r</sup> and being returned M<sup>r</sup> *Merewether* did put them in mind of the Governors Command to chuse a Speaker, and did nominate and recommend to the House. M<sup>r</sup> *John Holloway*. And M<sup>r</sup> *Waller* did nominate and recommend M<sup>r</sup> *John Clayton* as persons of great ability and fit for so great a Trust.—

And after a Debate the Question was put by the Clerk, And M<sup>r</sup> *Holloway* being by a Majority of voices called upon to the Chair, was conducted thither by Two Members. And being there placed made a gratulatory Speech to the House for their great kindness and affection towards him in their choice of him without his applying to any one of them for their Interest on that Occasion—

*Ordered*

That M<sup>r</sup> *Corbin*, M<sup>r</sup> *Merewether*, M<sup>r</sup> *Harrison*, M<sup>r</sup> *Burwell*, M<sup>r</sup> *Mason*, M<sup>r</sup> *Robinson*, M<sup>r</sup> *Blair*, M<sup>r</sup> *Braxton*, M<sup>r</sup> *W<sup>m</sup> Randolph*, M<sup>r</sup> *Willis*, M<sup>r</sup> *Cole* and M<sup>r</sup> *Roscow* do attend the Governour and acquaint him that this House hath made choice of a Speaker and desire to know what time he will appoint for them to present him—

Adjourned til tomorrow ten of the Clock in the Morning.—

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*Thursday November the 3<sup>d</sup> 1720.*

THE House being met and M<sup>r</sup> *Speaker* Elect having taken the Chair, M<sup>r</sup> *Corbin* reported That the persons appointed had according to order attended the Governour and desired to know what time he would appoint this House to present their Speaker, And that he was pleased to appoint One a Clock this day in the Council Chamber.

M<sup>r</sup> *Armistead* produced a Certifycate of his having taken the Oathes appointed by Act of parliament to be taken instead of the Oathes of Allegiance and Supremacy, the abjuration Oath. The Test and Oath of a Burgess and took his place.

A message from the Govern<sup>r</sup> was delivered by M<sup>r</sup> *Robertson*.

The Governour Commands the Immediate attendance of this House in the Council Chamber.—

And accordingly they went up with the Speaker Elect. And being returned M<sup>r</sup> *Speaker* acquainted the House That the Govern<sup>r</sup> had confirm'd their Choice of a Speaker and that he had in the Name of this House made the following Petitions.

first. That all the Members of the House with their Servants and necessary attendants might be Exempted from all manner of Arrests and Troubles.

Secondly. That they might have Liberty and freedom of Speech, in whatsoever they had Occasion to debate in the House—

Thirdly

Thirdly. That they might have access to his person on all urgent and necessary occasions.—And

Lastly. That they might have power over their own Members

And that the Governor was pleased to answer. He should avoid encroaching on the just Rights and Privileges of this House. And he further acquainted the House That the Governor was pleased to make a Speech and to the end he might not misrepeat him he had obtained a Copy thereof which he read to the House together with an Extract of a Letter from the Lords Commissioners for Trade and Plantations and delivered the same to the Clerk who read the Said Speech as follows.

*Gentlemen of the Council and house of Burgeffes.*

After the signal proofs that I have given of my disposition to peace and Union, I may with a good grace recommend to you Moderation and Concord and whoever shall make a just Estimate of what the Colony has gained by the late Contentions, cannot but reckon them Enemies to the Country who shall endeavour to divide us again or will continue to create groundless Jealousies of my administration

If we meet to consult and agree, General Assemblies undoubtedly are a most wholesome part of the Constitution, but if Some Vulgar notions are to prevail as if the body ought to thwart and oppose the head, our Sessions must prove nothing better than a burthen to the People: and that vividious [invidious] distinction of the Countrys and the Governours friends (which I am Sorry to observe Some men have been industrious still to keep up) must prove a Poison to your proceedings if you Suffer it to take place in your present Consultations.—

To consider the Stake I have among you and the free choice I've made to fix it under this Government You have not Surely any grounds to Suspect me of injurious Designs against the welfare of this Colony, for if a Conscientious discharge of our duty engages us Governours to be Specially mindful of *Great Britains* Interest yet I cannot See why that may not go hand in hand with the prosperity of these plantations and I will frankly declare to you the Political Creed which I profess on this point.

I look upon *Virginia* as a Rib taken from *Britains* Side and believe that while they both proceed as living under the Marriage compact, this *Eve* must thrive so long as her *Adam* flourishes, and I'm persuaded that whatever Serpent shall tempt her to go astray and meddle with forbidden matters will but multiply her Sorrow and quicken her husband to rule more strictly over her.—

If your proceedings be duly tempered with this persuasion, I hardly imagine any thing that can urge us to differ this Session, for (praised be God) this Government is at present under more happy Circumstances than to need my pressing you for Supplies, and as We of the Administration are upon a better Establishment than to become troublesome to you for our Salaries, so my own desires are more bounded than to be Anxious or Solicitous for your Bounties

Besides my purpose is to offer nothing to you at the Opening of this Session but what you may be as forward to enact, as I to pass and therefore I shall no more than barely hint what I think fit to propose assuring you that if the needfulness thereof be not as obvious to you as to me I will acquiesce with all the Indifference that is consistent with my Duty.—

And so I remark to you the naked State both of your harbours and frontiers, the disarmed Condition of your Militia, the Inconvenient length of many Counties, and I leave to your consideration whether the giving Encouragement for Extending your Out Settlements to the high Ridge of Mountains, will not be laying hold of the best Barrier that nature could form, to Secure this Colony from the Incursions of the Indians and more dangerous Encroachments of the *French*, And Lastly I lay before you the Sentiments of the Lords Commissioners for Trade and plantations. with respect to Treaties with the five Nations of Northern Indians.

*November the 3<sup>d</sup> 1720*

The Extract of the said Letter was again read—

*Resolved*



*Resolved Nemine Contradicente*

That an addrefs of Thanks be prepared to the Governour for the kind Expreffions contained in the faid Speech.

*Resolved*

That this Houfe will take the Governors Speech into confideration on *Tuefday* next.

*Ordered*

That a Committee of Elections and priviledges be appointed of the perfons following.

M<sup>r</sup> *Corbin* Chairman

M<sup>r</sup> *Efcridge*.....M<sup>r</sup> *Presley*

M<sup>r</sup> *Cole*.....M<sup>r</sup> *Waller*

*Ordered*

That a Committee for Publick Claimes be appointed of the following perfons.

M<sup>r</sup> *Harrifon* Chairman

M<sup>r</sup> *Bridger*.....M<sup>r</sup> *Lee*

M<sup>r</sup> *W<sup>m</sup> Ball*.....M<sup>r</sup> *Mafon*

M<sup>r</sup> *Walters*.....M<sup>r</sup> *Conington*

M<sup>r</sup> *Willis*.....M<sup>r</sup> *Lawr. Smith*

M<sup>r</sup> *Jones*.....M<sup>r</sup> *Johnfon*.

*Ordered*

That a Committee for pofitions [propositions] and Grievances be appointed of the following perfons.—

M<sup>r</sup> *Clayton* Chairman

M<sup>r</sup> *Corbin*.....M<sup>r</sup> *Will<sup>m</sup> Randolph*.

M<sup>r</sup> *Efcridge*.....M<sup>r</sup> *Robinjon*

M<sup>r</sup> *Merrewether*.....M<sup>r</sup> *Braxton*

M<sup>r</sup> *Burwell*.....M<sup>r</sup> *Blair*

M<sup>r</sup> *Grymes*.....M<sup>r</sup> *Boufh*

M<sup>r</sup> *Beverley*.....M<sup>r</sup> *Rofcow*.

Then the Queftion was put—

That a Select Committee be appointed to prepare the Addrefs to the Governour  
It paffed In the Negative

*Ordered*

That the Committee of Propositions and Grievances do forthwith prepare the Said Addrefs.—

The Several petitions of *Hugh Jones*. and *Peter ffontaine* praying to be admitted to read prayers to this Houfe during this Seflion were read—

*Ordered*

That *Hugh Jones* Clerk be appointed Chaplain to this Houfe and that he attend every Morning at Eleven a Clock in the Conference Chamber and that M<sup>r</sup> *Clayton* and M<sup>r</sup> *Grymes* do acquaint the Governour and Council therewith.—

*Ordered*

That M<sup>r</sup> *Godfrey Pole* be appointed Clerk to the Committee of Propositions and Grievances and that he give his attendance accordingly.—

*Ordered*

That M<sup>r</sup> *Richard Cary* be appointed Clerk to the Committee of Elections and Priviledges and Publick Claims and that he give his attendance accordingly—

*Ordered*

That *William ffrancis*, *James Haffel*, *William Wager* and *Robert Dyer* be appointed Doorkeepers to this Houfe and that they give their attendance accordingly.—

Adjourned til tomorrow Eleven of the Clock in the morning.—

*Fryday*

*Fryday November the 4<sup>th</sup> 1720*

**M**R Clayton reported that the persons appointed had according to Order acquainted the Governour and Council That this Houfe had appointed a Chaplain who would attend every morning at Eleven of the Clock in the Conference Chamber to read prayers. And that the Governour answered.— Whenever this Houfe fhould be difpofed to pay him any Civility's he fhould be ready to acknowledge them, and that accordingly he returned this Houfe his thanks for the notice they had given him—

The Orders of the Houfe for the laft Seflion being read at the Table.

*Refolved.*

That the Houfe do approve of the Same and that they fhall continue Orders for this Seflion.

*Ordered*

That the Said Orders lye constantly on the Table for every Members perufal.—

*Ordered*

That the Committees have power to adjourn themselves from Day to day and fend for perfons Reccords Journalls and other papers they fhall from time to time have Occafion of.—

*Refolved*

That no Propositions, Grievances or Claimes be received after *Tuesday* next without particular Leave of the Houfe.—

*Ordered*

That the Clerk do publifh the Said Refolve by Setting up a fair Copy thereof at the Capitol door.—

*Ordered*

That the Committee of Propositions and Grievances Infpect the Journals of the laft Seflion of the laft Affembly and prepare and draw up a State of the matters then depending and undetermined and the progreff that was made therein and report the Same to the Houfe

*Ordered*

That the Committee for Publick Claimes infpect the report of the faid Committee at the laft Seflion of the laft Affembly and report to the Houfe what they find neceffary therein to be further confidered this Seflion.

*Refolved*

That fifteen Members with the Speaker be a Sufficient Number to adjourn.

*Ordered*

That the Committee of Propositions and Grievances infpect the Temporary Laws which are Expired or will Expire with this Seflion and report the Same to the Houfe.—

A petition of M<sup>r</sup> *John Robinson* Complaining of an undue Election and Return of *Gawin Corbin* Gent. to Serve in this prefent Affembly for the County of *Middlefex* was read.—

*Ordered*

That the Same be referd to the confideration of the Committee of Elections and Priviledges to Examine the matter and report the Same with their Opinion therein to the Houfe—

*Ordered*

That M<sup>r</sup> *Corbin* withdraw during the confideration of the Said Petition—

Then the Queftion was put.

That an addition be made to the Committee of Elections and Priviledges during the confideration of the Said Petition—

It paffed In the Negative—

A Petition of M<sup>r</sup> *John Bolling* complaining of an undue Election of *Thomas Randolph* Gent. to Serve in this prefent Affembly for the County of *Henrico* was read.

*Ordered*

*Ordered*

That the Same be referd to the confideration of the Committee of Elections and privileges to Examine the matter and report the Same with their Opinion therein to the Houfe.—

The Several Petitions following were read.

A Petition of the Inhabitants of the Countys of *King* and *Queen* and *King William* praying that Two ferrys may be appointed on *Mattapony* River.

A Petition of the Upper Inhabitants of *King* and *Queen* praying a Division of the Said County—

A petition of the upper Inhabitants of *Henrico* Parifh praying a Division of the Said Parifh—

*Ordered*

That the Said Petitions be refer'd to the confideration of the Com<sup>tee</sup> of Propofitions and Grievances to Examine the matter and report the Same with their Opinions therein to the Houfe.

A Petition of M<sup>r</sup> *Edwin Conway* complaining of an undue Election of Burgeffes to Serve in this prefent Affembly for the County of *Lancaster* was read

*Ordered*

That the Same be refered to the confideration of the Com<sup>tee</sup> of Elections and Priviledges to Examine the matter, and report the Same with their Opinion fhewn to the Houfe.—

Grievances from the County of *Northumberland* were prefented and read.

*Ordered*

That the Same be referd to the confideration of the Com<sup>tee</sup> of propofitions and Grievances to Examine the matter and report their Opinon therein to the Houfe.—

A Propofition from the County of *Middlefex* for Chriftianizing Negro's and Slaves was read.—

*Ordered*

The [that] the Same be refer'd to the confideration of the Committee of Propofitions and Grievances to Examine the matter and report their Opinions therein to the Houfe—

Several Claimes from the Countys of

*Prince George*

*New Kent*

*Middlefex*

*Lancaster*

*Effex*

*Gloucefter*

*Surry*

*Richmond*

*King William*

*Elizabeth City*

*York*

*Westmorland*

Were prefented to the Houfe and referd to the confideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the Houfe.

*Ordered*

That the Clerk of the Houfe deliver to the Chairman of the Committee of Elections and Priviledges the Several writs for Election of Burgefs<sup>s</sup> which fhall come to his hands and that the faid Committee take into their confideration the Several Returnes thereon and report their Opinions therein to the Houfe—

A Petition of the Inhabitants of *King William* County praying That a ferry may be appointed on *Pamunkey* River was read.

*Ordered*

That the Same be referd to the confideration of the Committee of Propofitions and Grievances to Examine the matter and report their Opinions therein to the Houfe.—

*Ordered*

That M<sup>r</sup> *Mumford* M<sup>r</sup> *Crawford* and M<sup>r</sup> *Harwood* make application to the Governour for a New writ for Electing a Burgefs to Serve in this General Affembly for the County of *Prince George* in the room of *Edward Goodrich* Gentleman deceafed.—

Adjourned til tomorrow Eleven of the Clock in the morning.

*Saturday*

*Saturday November the 5<sup>th</sup> 1720*

**S**EVERAL Claimes from the Counties of *Henrico James City* and *Stafford* were presented to the House and referd to the consideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the House.—

A petition and Claim of *Henry Hayward* was presented to the House and read.

*Ordered*

That the Same be referd to the consideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the House.

The Claimes of *William Kembel* and *Henry Briggs* Indian Interpret<sup>rs</sup> were presented to the House and referd to the consideration of the Com<sup>tee</sup> of Publick Claimes to Examine the matter and report their Opinions therein to the House.—

The Petition of M<sup>r</sup> *Joshua Curl* complaining of an undue Election and Return of *Anthony Armistead* Gent. to Serve in this present Generall Assembly for the County of *Elizabeth City*.—

The Petition of M<sup>r</sup> *Daniel M<sup>c</sup>Carty* complaining of an undue Election and Return of *Thomas Lee* Gent. to serve in this present Assembly for the County of *Westmorland*.— Were presented to the House and read.

*Ordered*

That the Same be refer'd to the consideration of the Com<sup>tee</sup> of Elections and Priviledges to Examine the matter and report their Opinions therein to the House.

M<sup>r</sup> *Clayton* reported that the persons appointed had according to Order prepared an address to the Governour which he read in his place and delivered in at the Table, where the same was again read and Unanimously agreed to by the House as follows—

*To the Hon<sup>ble</sup> Alexander Spotswood his Majesties Lieut. Govern<sup>r</sup>. and Command<sup>r</sup>. in Chief of Virga*

*The Humble Address of the House of Burgeses.*

*SIR.*

His Majest<sup>y</sup>. most Loyal and dutifull Subjects the Burgeses of this present General Assembly Do in all humble Thankfulness acknowledge the favour of Your Honours most kind and affectionate Speech delivered at the Opening of this Session.—

Tis with Joy not to be Expressed That we are now met to See a late unhappy Division So unexpectedly United, which next (under God) We must ascribe to your peaceable[peaceable] disposition. And shal most heartily agree after the Example of our Governour to banish all Contentions out of our Counsels and Debates and Set our selves— Earnestly and Sincerely to consult the United Interest of our Royal Sovereign and this Dominion whose felicity it is to be Joined in Interest with the Kingdome of *Great Britain*

It is with great Concern, we hear That any Distinctions are raised or kept up among the people upon the Odious position That A friendship for our Governour is incompatible with the Interest of our Country and beg Leave to Assure your Honour We shall Esteem those persons Enemies to the Publick who shall by any means whatsoever Endeavour to Seduce the minds of the people from the Duty they owe to So good a Governour.

We must Joyfully acknowledge the Satisfaction we have to See our Country in So prosperous and flourishing a Condition as to want no Supplies from us, as well as to be under the Administration of So just a Governour And Do beg leave to assure your Honour We will apply our Selves with all diligence to deliberate those Important matters you have been pleased to refer to our Consideration—

*Ordered*

That the Said Address be fairly transcribed and Signed by the Speaker and presented by the whole House.—

*Ordered—*

That the Committee of Propositions and Grievances do attend the Govern<sup>r</sup>. and desire to know when and where this House shall present the said address.

M<sup>r</sup>:

M<sup>r</sup> *Clayton* reported That the Committee of Propositions and Grievances had according to Order, attended the Governour and desired to know when and where this House should present their Addresse, and that the Governour was pleased to answer—He had received a message from the Council to know when they should present their addresse That he should be at the Capitol this morning and would give this House notice when he was ready to receive their addresse.—

A message from the Governour was delivered by M<sup>r</sup> *Robertson*—  
M<sup>r</sup> *Speaker*.

I am commanded by the Governour to acquaint this House That his Hon<sup>r</sup> is now ready in the Council Chamber to receive the Addresse mentioned in your message to him of this Day.—

The House went up accordingly and being returned M<sup>r</sup> *Speaker* reported That the House had attended the Governour in the Council Chamber with the Addresse of Thanks lately prepared and that the Govern<sup>r</sup> received the Same very favourably and was pleased to make answer thereto in these words.—

M<sup>r</sup> *Speaker and Gentl<sup>rs</sup> of the House of Burgeffes*.

I can no more than you Express the pleasure that I conceive at this happy Prospect of our good Agreement.

I heartily thank you for this kind and Seasonable addresse which cannot but Strengthen the hands of the Administration and Tend Effectually to Improve that pacification which is So happily begun—

A Petition and Grievance from the County of *Stafford* was presented and Read  
*Ordered*

That the Same be refer'd to the consideration of the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the House—

*Resolved*

That M<sup>r</sup> *Speaker* and M<sup>r</sup> *Clayton* who are Impowered by Act of Assembly to repair and amend the Capitol, be desired Immediately to Employ the workmen to Close up North Arches in the Piazza of the Capitol—

M<sup>r</sup> *Mumford* reported That the Govern<sup>r</sup> according to the Desire of this House, had ordered a Writ to Issue for Electing a Burgefs to Serve in this present Assembly for the County of *Prince George* in the Room of M<sup>r</sup> *Edward Goodrich* deceased—

Adjourned til Eleven a Clock on *Monday* Morning.

### *Monday November the 7<sup>th</sup> 1720.*

THE House being mett  
Adjourned til Eleven a Clock tomorrow morning

### *Tuesday November the 8<sup>th</sup> 1720.*

SEVERAL Claimes from the Countys of  
*Nansemond*.....*Princes Anne*  
*Accomack*.....*King and Queen*  
*Northampton*.....*Charles City*  
*Warwick*—

were presented to the House and refer'd to the consideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the House.—

The Several Claimes following were presented to the House—

A Claim of M<sup>r</sup> *Richard Hickman*.—

A Claim of *Katherine Cragg*.

A Claim of *James Shields*

A Claim of M<sup>r</sup> *Joseph Walker*

A Claim of *James Adams* an Indian Interpreter.

*Ordered*

That the same be referred to the consideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the House.

Several Propositions and Grievances from the Countys of

*Princes Anne*.....*Surry*

*New Kent*.....*King William*

*Richmond*.....*Middlesex*

*Prince George*.....*Effex*.—

Were presented to the House.

*Ordered*

That the Same be referred to the Consideration of the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the House.—

A Petition of *John Randolph* praying to be allowed for Six Copies of the Journal and five Copies of the Lawes of the last Session of the Last Assembly.—was read.

*Ordered*

That the Same be Referred to the consideration of the Committee of Publick Claimes to Examine the matter and report their Opinions therein to the House.—

*Ordered*

That the Clerk of the House deliver M<sup>r</sup> *Speaker* a Copy of the Journal of this Session and that he be allowed for the Same as usual

M<sup>r</sup> *Clayton* reported from the Committee of Propositions and Grievances That the Said Committee had had under their consideration Several of the matters to them Referred and were come to Some Resolutions thereupon, which he read in his place and delivered in at the Table where the Same was again read and is as follows.

On consideration of Petition of diverse Inhabitants of *King* and *Queen* and *King William* Countys praying That ferrys may be appointed over *Mattapony* River at *Norments* and *Whites*.—

It is the Opinion of the Committee That ferrys ought to be appointed at the Said places.—

On consideration of the Petition of diverse Inhabitants of *King William* County, praying that Liberty may be granted unto *Robert King* to keep a ferry over *Pomonkey* River.

It is the Opinion of the Committee That a ferry be appointed accordingly.—

On consideration of the Petition of the Upper Inhabitants of *Henrico* Parish, praying That they may be a Parish of themselves And that the Tobacco they have Expended in the Three yeares last past towards building Two Churches may be repaid.—

It is the Opinion of the Committee That the said Parish ought to be divided and the Tobacco repaid.—

On consideration of the Grievance from *Northumberland* County Complaining of the Importation of Tobacco from *Maryland* into the Said County.

*Resolved*

That the Same be rejected

On consideration of the Grievance from the Said County relating to large Quantities of Horses and Mares running at large in the Said County.

*Resolved*

That the Same be Rejected being provided for by Law.—

On consideration of the Grievance from the Said County relating to the Inconvenience of the Clerk of the County Courts Office.

*Resolved*

That the same be rejected

*Resolved*

That this House doth agree with the Committee

*Resolved*

*Resolved*

That a Bill be prepared for appointing two ferrys over *Matapony* at *Norments* and *Whites* and One ferry over *Pamunkey* at *Robert King's*

*Ordered*

That the Committee of Propofitions and Grievances do prepare and bring in the Said Bill

*Resolved*

That a Bill be prepared for dividing *Henrico* Parifh and Repaying the Said Tobacco.

*Ordered*

That M<sup>r</sup> *William Randolph* and M<sup>r</sup> *Thomas Randolph* do prepare and bring in the Said Bill.

The Houfe then *Resolved* into a Committee of the whole houfe to confider the Govern<sup>rs</sup> Speech.

M<sup>r</sup> *Speaker* left the Chair

M<sup>r</sup> *Clayton* took the Chair of the Committee

M<sup>r</sup> *Speaker* returned the Chair

*Resolved*

That this Houfe will tomorrow *Resolve* it Self into a Committee of the whole Houfe to confider further of the Governours Speech.—

M<sup>r</sup> *Corbin* from the Committee of Elections and Priviledges report'd That the faid Committee had taken into Confideration Several Returnes of Writs to them refer'd and had agreed upon a report which he read in his place and then delivered the Same in at the Table where it was again read and agreed to by the Houfe as follows.—

*Resolved*

That M<sup>r</sup> *W<sup>m</sup> Randolph* and M<sup>r</sup> *Thomas Randolph* are duly returned Burgeffes to Serve in this prefent General Affembly for the County of *Henrico*

*Resolved*

That M<sup>r</sup> *John Lear* and M<sup>r</sup> *James Reddick* are duly returned Burgeffes to Serve in this prefent Generall Affembly for the County of *Nanfemond*.

*Resolved*

That M<sup>r</sup> *Willis Wilfon* and M<sup>r</sup> *William Crawford* are duly returned Burgeffes to Serve in this prefent General Affembly for the County of *Norfolk*.—

*Resolved*

That M<sup>r</sup> *Maximilian Boufh* and M<sup>r</sup> *Ant<sup>o</sup> Walke* are duly returned Burgeffes to Serve in this prefent General Affembly for the County of *Princefs Ann*.

*Resolved*

That M<sup>r</sup> *James Rickets* and M<sup>r</sup> *Anthony Armstead* are duly returned Burgeffes to Serve in this prefent General Affembly for the County of *Elizabeth City*.—

*Resolved*

That M<sup>r</sup> *Cole Diggs* and M<sup>r</sup> *William Cole* are duly returned Burgeffs to Serve in this prefent General Affembly for the County of *Warwick*.—

*Resolved*

That M<sup>r</sup> *James Rofcow* is duly returned Burgefs to Serve in this prefent Generall Affembly for the County of *Warwick* in the room of *Cole Diggs* Efqr who is Since his Election called up to be One of his Majefties Council of State—

*Resolved*

That M<sup>r</sup> *John Holloway* and M<sup>r</sup> *Lawrence Smith* are duly returned Burgeffes to Serve in this prefent General Affembly for the County of *York*.—

*Resolved*.

That M<sup>r</sup> *Thomas Jones* is duly returned a Burgefs to Serve in this prefent General Affembly for the Colledge of *William and Mary*.—

*Resolved*

That M<sup>r</sup> *Nicholas Merewether* and M<sup>r</sup> *John Stamp* are duely Returned Burgeffes to Serve in this prefent General Affembly for the County of *New Kent*.—

*Resolved*

*Resolved*

That M<sup>r</sup>. *John Waller* and M<sup>r</sup>. *Thomas Johnson* are duely returned Burgeffes to Serve in this present General Affembly for the County of *King William*.—

*Resolved*.

That M<sup>r</sup>. *Henry Willis* and M<sup>r</sup>. *Nathan! Burwell* are duely Returned Burgeffes to Serve in this present gen<sup>l</sup>. affembly for the County of *Gloucester*

*Resolved*

That M<sup>r</sup>. *Jn<sup>o</sup> Grymes* and M<sup>r</sup>. *Gawin Corbin* are duely returned Burgeffes to Serve in this present General Affembly for the County of *Middlesex*.

*Resolved*

That M<sup>r</sup>. *William Woodbridge* and M<sup>r</sup>. *Carles Barker* are duely returned Burgeffes to Serve in this present General Affembly for the County of *Richmond*.—

*Resolved*

That M<sup>r</sup>. *George Majon* and M<sup>r</sup>. *Will<sup>m</sup> Robinson* are duely returned Burgeffes to Serve in this present General Affembly for the County of *Stafford*.—

*Resolved*

That M<sup>r</sup>. *George Ejsridge* and M<sup>r</sup>. *Thomas Lee* are duely returned Burgeffes to Serve in this present General Affembly for the County of *Westmorland*.—

*Resolved*

That M<sup>r</sup>. *William Ball* and M<sup>r</sup>. *James Ball* are duely returned Burgeffes to Serve in this present Generall Affembly for the County of *Lancaster*.

*Resolved*

That M<sup>r</sup>. *Peter Presly* and M<sup>r</sup>. *Peter Hack* are duely returned Burgeffes to Serve in this present General Affembly for the County of *Northumberland*.—

*Resolved*

That M<sup>r</sup>. *John Teackle* and M<sup>r</sup>. *Solomon Ewel* are duely returned Burgeffes to Serve in this present General Affembly for the County of *Accomack*.—

*Resolved*

That M<sup>r</sup>. *W<sup>m</sup> Waters* and M<sup>r</sup>. *George Hermanjon* are duely returned Burgeffes to Serve in this present Gen<sup>l</sup>. Affembly for the County of *Northampton*.—

M<sup>r</sup>. *Corbin* further reports from the Said Committee That they had taken into Consideration Several other Returnes to them refer'd and had agreed upon a report which he read in his place and then delivered the Same in at the Table where it was again read and is as follows.—

*Resolved*

That M<sup>r</sup>. *Edward Goodrich* and M<sup>r</sup>. *Robert Mumford* are by M<sup>r</sup>. *John Hardyman* Sherif of *Prince George* County returned Burgeffes to Serve in this present General Affembly for the Said County of *Prince George* but forasmuch as the year of the Kings Reign is not rightly inferted It is therefore Submitted to the consideration of the House whether the Said Sherif shall be sent for to mend his Returne—

*Resolved*

That M<sup>r</sup>. *Henry Harrijon* and M<sup>r</sup>. *John Simmons* are by M<sup>r</sup>. *Thomas Collier* Sherif of *Surry* County Returned Burgeffes to Serve in this present General Affembly for the Said County of *Surry* But forasmuch as the year of the Kings Reigne is not rightly inferted It is therefore Submitted to the Consideration of the House whether the said Sherif shall be Sent for to mend his Return—

*Resolved*

That M<sup>r</sup>. *Will<sup>m</sup> Bridger* and M<sup>r</sup>. *Arthur Smith* are by M<sup>r</sup>. *Joseph Godwin* Sherif of *Ile of Wight* County returned Burgeffes to Serve in this present general Affembly for the said County of *Ile of Wight* But forasmuch as the year of the King's Reign is not rightly Inferted It is therefore Submitted to the consideration of the House whether the Said Sherif shall be Sent for to mend his Return

*Resolved*

That M<sup>r</sup>. *Archibald Blair* and M<sup>r</sup>. *John Clayton* are by M<sup>r</sup>. *James Duke* Sherif of *James* City County returned Burgeffes to Serve in this present General Affembly for the Said County



County of *James City*. But forasmuch as the year of the Kings Reign is not rightly inferted It is therefore Submitted to the consideration of the House whether the Said Sherif shall be sent for to amend his return—

*Resolved*

That M<sup>r</sup> *William Broadnax* is by M<sup>r</sup> *James Duke* Sherif of *James City* County returned a Burgefs to Serve in this present General Assembly for *James Town* But forasmuch as the year of the Kings Reign is not rightly inferted It is therefore Submitted to the consideration of the House whether the said Sheriff shall be Sent for to mend his Return.—

*Resolved*

That M<sup>r</sup> *John Stith* and M<sup>r</sup> *Samuel Harwood* Jun<sup>r</sup> are by M<sup>r</sup> *Lewellin Epes* Sherif of *Charles City* County returned Burgeffes to Serve in this present General Assembly for the said County of *Charles City*. But forasmuch as the year of the Kings Reign is not Rightly inferted It is therefore Submitted to the consideration of the House whether the Said Sherif Shall be sent for to mend his Return—

*Ordered*

That the Clerk of this House do amend the said Returnes—

M<sup>r</sup> *Corbin* further reports from the Said Committee That they had had under their consideration Several other Returnes to them Refer'd and had agreed upon a Report which he read in his place and then delivered the Same in at the Table where it was again read and is as follows.—

*Resolved*

That M<sup>r</sup> *George Braxton* and M<sup>r</sup> *Robert Beverley* are by *William Southerland* Sherif of *King* and *Queen* County returned Burgeffes to Serve in this present General Assembly for the Said County of *King* and *Queen* But forasmuch as the Said Return is not made as the Law in that Cafe directs, It is therefore the Opinion of this Committee That the Said Sherif be Sent for to mend his 1<sup>d</sup> Return—

*Resolved*

That M<sup>r</sup> *J<sup>n</sup><sup>o</sup> Hawkins* and M<sup>r</sup> *Richard Covington* are by *Lawrence Taliaferro* Sherif of *Effex* County Returned Burgeffes to Serve in this present General Assembly for the Said County of *Effex* But forasmuch as the Said Return is not made as the Law in that Cafe directs It is therefore the Opinion of this Committee That the Said Sherif be Sent for to mend his Said Return—

*Resolved.*

That this House doth agree with the Committee That M<sup>r</sup> *William Southerland* be Sent for in Custody to amend his Said Return

Then the Question was put

That the Speakers Warrant Issue Immediately to take the said *William Southerland* into Custody.

It past In the Negative—

*Ordered*

That the Same do not Issue till *Munday* next.

*Resolved*

That this House doth not agree with the Committee That M<sup>r</sup> *Lawrence Taliaferro* be Sent for to mend the said Return

*Ordered*

That the Same be amended by the Clerk.—

M<sup>r</sup> *Corbin* further reports from the Committee of Elections and Priviledges That the Committee had taken into consideration the Petition of *John Bolling* Complaining that M<sup>r</sup> *Thomas Randolph* is unduely Elefcted a Burgefs for the County of *Henrico* And had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and it is as follows.—

*Resolved*

That the Said Petition be heard on *Monday* the twenty first day of this Instant *November*, and that M<sup>r</sup> *Speaker* be desired to Issue his Warrant to Sumon the Severall

Witnesses

Witneffes to be named by each party to appear before this Committee on the Said Twenty first day of this Infant *November*.

*Resolved*

That this Houfe doth agree with the Committee That M<sup>r</sup> *Speaker* be desired to Ifsue his warrant to Summon the Said Witneffes—

*Ordered*

That the Depofition of *John Woodjon* who is now in Town, be taken before the Committee of Elections and Priviledges, in behalf of the Said *Thomas Randolph* and that a Copy thereof be fent to the Said *John Bolling*.—

M<sup>r</sup> *Corbin* further reports from the Committee of Elections and Priviledges That the Committee had taken into confideration the Petition of M<sup>r</sup> *Edwin Conway* complaining That the Sherif of *Lancaster* County had appointed the day for Election of Burgeffes in the faid County contrary to Law. And that Several freeholders never heard the writ published And therefore were not prefent at the faid Election. And had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the fame was again read and it is as follows.—

It appears to this Committee That the freeholders of the faid County had Sufficient notice of the day for the Said Election. And therefore are of Opinion That the Said Petition be rejected.—

A Debate arifing upon the Said report.

*Resolved*

That the Same be adjourned til tomorrow—

M<sup>r</sup> *Corbin* further reported from the Committee of Elections and Priviledges That they had had under their confideration the Petition of M<sup>r</sup> *Daniel M<sup>c</sup>Carty* complaining That M<sup>r</sup> *Thomas Lee* is unduly Elected a Burgefs for the County of *Westmorland* and had agreed upon a report which he read in his place and then delivered the fame in at the Table where it was again read And being amended is as follows.—

Upon reading the Petition of M<sup>r</sup> *Daniel M<sup>c</sup>Carty* Complaining that M<sup>r</sup> *Thomas Lee* is unduly Elected a Burgefs for the County of *Westmorland*, the faid M<sup>r</sup> *Lee* appeared and agreed That *John Chilton Thomas Newton* and *George Turberfield* Gentl. Juftices of the peace for the Said County or any Two of them fhould take the Depofitions of the Several Witneffes in the Countys of *Westmorland Richmond* and *Stafford* for and in behalf of both partys. And that M<sup>r</sup> *Speaker* be desired to Ifsue his Warrant to Summon the Several Witneffes to be named by each party to the Sherif of the Countys. And that their Depofitions taken by the Said Juftices as aforefaid be tranfmitted to this Committee by the Twenty Second day of this Infant being the day appointed for the hearing of the Said Petition.—

*Resolved.*

That this Houfe doth agree to the Said report That the Speaker be desired to Ifsue his Warrant to Summon the Said Witneffes.

Adjourned til tomorrow Eleven a Clock in the Morning

*Wednesday November the 9<sup>th</sup> 1720.*

THE Houfe *Resolved* into a Committee of the whole Houfe further to proceed in the confideration of the Govern<sup>r</sup>s Speech—

M<sup>r</sup> *Speaker* left the chair

M<sup>r</sup> *Clayton* took the Chair of the Committee

M<sup>r</sup> *Speaker* refumed the Chair.—

M<sup>r</sup> *Clayton* reports from the Said Committee That they had had under their confideration Some parts of the Governours Speech, and had agreed upon a Report, which he read in his place and afterwards delivered the Same in at the Table where it was again twice read and agreed to And it is as followeth *viz*.

*Resolved*

*Resolved*

That the House by their address hath already answered all the matters contained in the Governours Speech Except those mentioned in the Two last Paragraphs.—

*Resolved.*

That a Naval force is the only Security and best defence of the harbours of this Country.

*Resolved.*

That application be made to his Majesty accordingly

*Resolved*

That Such Ships of War as shall from time to time be appointed to Guard the Coasts and Harbours of this Colony will be of better Service if the Same be obtained to be under the Immediate direction of the Governour of *Virginia* for the time being.

*Resolved*

That the Governour be desired to lay before the House his Letter to Colonel *Schuyler* mentioned in the Letter of the Lords Commiss<sup>rs</sup> for Trade and Plantations by him refer'd to in his Speech Together with any other Papers he shall think necessary towards giving the House greater Light into the business of the treaties with the five Nations of Northern Indians or Securing the frontiers of this Colony.—

*Resolved*

That this House will tomorrow resolve it Self into a Committee of the whole House further to consider the Governours Speech.—

*Ordered*

That M<sup>r</sup> *Corbin*, M<sup>r</sup> *Robinson* M<sup>r</sup> *Merewether*, M<sup>r</sup> *Grymes*, M<sup>r</sup> *William Randolph* M<sup>r</sup> *Cole*, M<sup>r</sup> *Blair*, M<sup>r</sup> *Lee* and M<sup>r</sup> *Mumford* Do attend the Governour and desire him to lay before this House his Letter to Colonel *Schuyler* mentioned in the Letter of the Lords Commiss<sup>rs</sup> for Trade and plantations by him refer'd to in his Speech Together with any other Papers he shall think necessary towards giving the House greater Light into the Business of the Treaties with the five Nations of Northern Indians or Securing the frontiers of this Colony.—

A Petition of M<sup>r</sup> *Charles Grymes* complaining of an undue Election and Return of *Charles Barber* Gentlm. to Serve in this present General Assembly for the County of *Richmond* was read.—

*Ordered*

That the Same be refer'd to the consideration of the Committee of Elections and Privileges to Examine the matter and report their Opinions therein to the House.—

M<sup>r</sup> *Corbin* reports That the persons appointed had according to Order attended the Governour to desire him to lay before this House his Letter to Colonel *Schuyler* Together with any other Papers he shall think necessary towards giving the House greater Light into the Business of the Treaty with the five Nations of Northern Indians or Securing the frontiers of this Colony. And that the Governour was pleased to Say he would Send Copies of them—

*Ordered*

That the Speaker Issue his Warrant to Summon Such Witnes<sup>s</sup> to appear the Sixteenth of this Instant *November* before the Committee of Elections and Priviledges then and there to be Examined touching the Complaint of *Joshua Curl* against *Anthony Armistead* a Member of this House as shall be named by each Party.—

The House Resumed the adjourned Debate on the report of the Committee of Elections and Privileges made upon M<sup>r</sup> *Edwin Conoways* petition—

*Ordered*

That M<sup>r</sup> *William Ball* and M<sup>r</sup> *James Ball* withdrew during the Said Debate—

After a Debate the Question was put

That the Report of the Committee That the Petition of M<sup>r</sup> *Edwin Conoway* be rejected be agreed to—

*Resolved* In the Affirmative

Adjourned til tomorrow morning. Eleven a Clock.

*Thursday*

*Thursday November the 10<sup>th</sup> 1720.*

**A** PETITION of *Henry Coulton* praying to be relieved out of Prison was read.

*Resolved*

That the Same be rejected—

*M<sup>r</sup>. Clayton* laid before the House an Account of the Charges of the Monument Erected to the Memory of Col<sup>o</sup> *Nott* late Governour of this Colony.—

*Ordered*

That the Same be refer'd to the consideration of the Com<sup>tee</sup> of Publick Claimes to Examine the matter and report their Opinions therein to the House—

*Ordered*

That *Peter Beverley* Esq<sup>r</sup>. Treasurer of the Dutys upon Liquors and Slaves do lay his Accounts thereof before this House—

A Petition of Sundry Inhabitants of the County of *Essex* Complaining of Several hardships Imposed on them by the Militia Court lately held in that County and praying Relief therein was read.—

*Ordered.*

That the Same do lye on the Table—

A Petition of *William Southerland* Sherif of the County of *King* and *Queen* praying to be admitted to amend his Return was read.—

*Resolved.*

That the Same be rejected.—

An account of Several Sums due to the Estate of *John Broadnax* deced for Publick Services was with the Leave of the House presented and received.

*Ordered*

That the Same be refer'd to the consideration of the Committee of Claimes to Examine the matter and report their Opinions therein to the House—

*Resolved*

That this House will tomorrow Resolve it Self into a Committee of the whole House further to consider the Govern<sup>r</sup>s Speech—

Adjourned til Eleven a Clock tomorrow morning

*Fryday November 11<sup>th</sup> 1720.*

**A** WRITTEN Message from the Governour was delivered by *M<sup>r</sup>. Robertson*—  
*M<sup>r</sup>. Speaker and Gentlemen of the House of Burgeesses.*

In compliance with your Message of yesterday I now Send you the Copy of my Letter to Colonel *Schyler* writ to him as president of *New York*. the 25<sup>th</sup> of *January* last as also a Copy of the Preliminary Articles therein mentioned. And if you incline to have under your present Consideration all the Transactions of this Government with the five Nations. I shall forthwith Order the Reccords to be Searched. and lay before you all the Publick Treatys Conferences, and Negotiations with those Indians.—

However, I must desire to know the Sense of this present Assembly upon the afore-said Preliminary Articles, and whether you'll adjudge them to be a Ceremonial that may be waved, or an Effential part. which this Government ought to insist on. And likewise whether you'll advise, and Enable me to Send Commissioners to treat at *Albany*. before the five Nations or the Government of *New York*. shall Return Some answer to those preliminarys.

*November the 10<sup>th</sup> 1720—*

*A. Spotfwood.*

*Ordered*

That the said Message be referd to be considered by the Committee of the whole House to whom the further consideration of the Governours Speech is referd.—

The

The Houfe Refolved it Self into a Committee of the whole Houfe further to proceed in the Confederation of the Govern<sup>r</sup>s Speech.—

M<sup>r</sup> *Speaker* left the Chair

M<sup>r</sup> *Clayton* took the Chair of the Committee.

M<sup>r</sup> *Speaker*. Refumed the Chair.

M<sup>r</sup> *Clayton* reports from the Said Committee That they had had under their Con- sideration Some parts of the Governours Speech—and and had agreed upon a Vote which he read in his place and afterwards delivered the fame in at the Table where the Same was again read, and agreed to by the houfe and is as follows—

*Resolved*

That a free Conference be desired with the Council on the Subject matter of that part of the Governours Speech which relates to the Security of the frontiers of this Colony.

*Resolved*

That this Houfe will again resolve it self into a Committee of the whole Houfe to morrow. further to confider the Governours Speech—

M<sup>r</sup> *Johnfon* on his Motion has leave to be absent from the Service of the Houfe til *Tuesday* next.—

M<sup>r</sup> *Crawford* on his motion has Leave to be absent from the Service of the Houfe til *Wednesday* next.—

M<sup>r</sup> *Thomas Randolph* on his motion has leave to be absent from the Service of the Houfe til *Wednesday* next—

*Ordered*

That M<sup>r</sup> *Grymes*, M<sup>r</sup> *Roscow*, M<sup>r</sup> *James Ball* and M<sup>r</sup> *Walk* do carry up the Message to the Council to desire a free Conference.

*Ordered*

That M<sup>r</sup> *Speaker* Issue his warrant to Summon Such witneffes to appear the Seven- teenth day of this Infant before the Com<sup>tee</sup> of Elections and Priviledges then and there to be Examined touching the Complaint of *John Robinson* againft *Gawin Corbin* A Member of this Houfe as fhall be named by each party.—

*Ordered*

That M<sup>r</sup> *Speaker* Issue his Warrant to the Sherifs of *Richmond* and *Westmorland* to Summon Such Witneffs to appear before *John Tayloe*, *Nicholas Smith* and *James Jugo* Gentlm. Juftices of the Peace for the Said County a [at] Such time and place as fhall be appointed, to be Examined touching the Complaint of *Charles Grymes* againft *Charles Barber* a Member of this Houfe as fhall be named by each party.—

A Petition of *Christopher Jackson* praying the direction of this Houfe in the Laying out the Land. Set apart for a Port at *Archers Hope* Creek was read.

*Ordered*

That the Same do lye on the Table.—

Severall Propositions and Grievances from the Countys of

*Ijle a Wight.*

*Charles City*

*Accomack—*

were Referd to the Committee of Propositions and Grievances to Examine the matter and report their Opinion therein to the Houfe.—

M<sup>r</sup> *Clayton* reports from the Committee of Propositions and Grievances That the Said Committee had had under their confideration Several of the matters to them referd And agreed upon a report which he read in his place—and afterwards delivered the Same in at the Table. where it was again read.—

*Ordered.*

That the Same do lye upon the Table and that it be confidered tomorrow—

Adjourned til tomorrow morning Eleven a Clock.

*Saturday*

*Saturday November the 12<sup>th</sup> 1720*

**A** MESSAGE from the Council That they have agreed to the free Conference desired by this House in the Message to them, and that they have appointed four of their Members who will meet Such persons as this House shall appoint on *Wednesday* next at One a Clock in the Conference Chamber.—

*Ordered*

That *Mr. Clayton, Mr. Corbin, Mr. Beverley, Mr. Burwell, Mr. Robinson, Mr. Grymes, Mr. W<sup>m</sup> Randolph and Mr. Blair* do attend and manage the said Conference.—

*Ordered*

That the Petition of Sundry Inhabitants of the County of *Effex*, complaining of hardships Imposed on them by the Militia Court be referd to the consideration of the Committee of Elections and Priviledges to Examine the matter and report their Opinion therein to the House.—

*Mr. Barber* has Leave, upon his motion to be absent from the Service of the House til *Tuesday* Seven night—

*Resolved*

That this House will resolve it self into a committee of the whole House, further to consider the Govern<sup>r</sup>s Speech on *Thursday* next.

Then the House proceeded to take into their consideration the report of the Committee of Propositions and Grievances refer'd to be considered this day, and the Same being twice read was agreed to by the House as follows.—

On consideration of the Proposition from *New Kent* County relating to a free School being maintained out of the Publick Bank, and of the proposition from the County of *Princeps Ann* That free schools may be erected and maintained in each County and a Competent Maintenance Allowed the Master thereof—

*Resolved*

That the Same be rejected.—

On consideration of the Proposition from *New Kent* County and the Petition from the County of *Stafford* for giving greater Incouragement for the killing of Wolves.—

*Resolved.*

That the Reward be augmented to Two hundred pounds of Tobacco for destroying each Wolfe and that a Bill be prepared accordingly

On consideration of the Proposition from *New Kent* County That the Burgeffes and all the Charges of this Assembly be paid out of the Publick Bank of money after the rate of Ten shillings per Cent. for Tobacco And of the Proposition from the County of *Surry* That the Burgeffes may be paid out of the Country Money now in bank.—And also of the Proposition from *Princeps Ann*. That the Charge of Assemblys may be defrayed in Some other manner than by a Poll Tax.—

*Resolved*

That the Burgeffes Salarys and all the Charges of this House be pd. out of the Publick money after the Rate of 10 shill<sup>s</sup> 7 Cent for Tobacco—

On consideration of the proposition from *New Kent* County to Prohibite the Indians to hunt on the North Side *James River*

*Resolved*

That the Same be rejected

On consideration of the proposition from *New Kent* County That an Act may be made for the better payment of Publick Dues and Levys and Small Debts at certain places in each parish—

*Resolved*

That the Same be rejected.—

On Consideration of the Several Propositions from *New Kent* and *Prince George* Countys relating to Tending of Seconds

*Resolved*

*Resolved*

That a Bill be prepared for putting the Law against Tending of Seconds in Execution and for Explaining and amending the said Law.

On confideration of that part of the Propofition from *New Kent* County That the fines arifing by Tending of Seconds may be applied to the ufe of the County—

*Resolved*

That the Same be rejected

On confideration of that part of the Propofition from the Said County which relates to Selling of Trafh and falfe packed Tobacco—

*Resolved*

That the Same be rejected being already provided for by Law

On confideration of the Propofition from the Said County praying that an Appea may be allowed from the Judgment of a Juftice of the Peace to the County Court.—

*Resolved,*

That the Same be rejected.—

On confideration of the propofition from the Said County That perfons brought before a Juftice of the Peace to anfwer a Plea of Debt may be obliged to give Special Bail or plead in Cuftody.—

*Resolved.*

That the Same be rejected

On confideration of the petition from *Richmond* County praying the Said County may be divided

*Resolved*

That the Said County be divided by *Charles's Bever Dams* and from the head thereof by a North Courfe to *Westmorland* County and that a Bill be prepared accordingly.

On confideration of the Propofition from *New Kent* County That their upper Parifh of *S<sup>t</sup> Paul* may be made a County.—

*Resolved*

That the Said propofition be agreed to and that a Bill be prepared accordingly.

On confideration of the Several Propofitions from *New Kent* and *King William* County. That a ferry may be appointed over *Pamunkey* River from Sweet hall to the mouth of *Tanks Queen* Creek.

*Resolved*

That a ferry be appointed as propofed, and that the Same be added to the Bill for appointing ferrys over *Matapony* and *Pamunkey*

*Ordered*

That the Com<sup>tee</sup> of Propofitions and Grievances prepare and bring in the Said Bills.—

Mr *Clayton* reports from the Committee of Propofitions and Grievances That the Said Committee had had under their confideration Several matters to them Referd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the table where it was again read.—

*Ordered*

That the Same do ly on the Table, and that it be confidered on *Monday* next.

Adjourned til *Monday* Eleven a Clock in the morning.—

*Monday November the 14<sup>th</sup> 1720.*

THE Houfe being informed That the Sherif of *King* and *Queen* attended at the door in Cuftody of the meffenger—He was called in and Amended his Return —at the Barr—

*Ordered*

That he be difcharged out of Cuftody paying fees.—

A Claim from the County of *New Kent* was w<sup>th</sup> the Leave of the Houfe prefented and Received.

*Ordered*

*Ordered*

That the Same be Refer'd to the confideration of the Committee of Publick Claimes to Examine the matter and report their Opinion thereon to the Houfe.—

Then the Houfe proceeded to the confideration of the report of the Committee of Propofitions and Grievances referd to be confidered this day and the Same was read and is as follows.—

On confideration of the Propofition from *Middlefex* County That the Parifh and County Levys may be the better paid and Delinquences prevented.—

*Refolved*

It is the Opinion of this Committee That the Same be referd to the confideration of the next Seflion of Affembly.—

On confideration of the propofition from the Said County That a compleat Collection of all the Laws in force may be printed and fit Numbers difperfed in every County.—

The Committee being informed That *John Holloway* and *John Clayton* Efq<sup>rs</sup> and *William Robertfon* Gent<sup>l</sup>: have undertaken that work and brought the Same near a Conclusion.—

*Refolved*

That is it the Opinion of the Committee That the faid perfons be defired to proceed on the Said work and get the Said Laws printed.

On confideration of the Propofition from *Surry* County That no Member of the Houfe have any place of profit from or by any Act made during the time he is a Member.—

*Refolved*

That the Same be rejected—

On confideration of the Propofition from the Said County to prohibite the Importation of Negros.

*Refolved*

That the Same be rejected.

On confideration of the Propofition from the Said County That the Tax which arifeth from the Collecting of Tobacco on the South Side of *Blackwater* Swamp may be abated.

*Refolved*

That the Same be rejected

On confideration of the Propofition from the Said County That the Law making Negro's Real Eftate may be repealed.—

*Refolved*

That the Same be rejected.—

On confideration of the Propofition from the Said County That a Reward may be given for killing of Crowes and Squirrells

*Refolved*

That the Same be rejected.—

On confideration of the Propofition from *Princefs Ann* County That a more effectual provifion be made for Encouragement of the Clergy and regard had to their widdows and Orphans

*Refolved*

It is the Opinion of the Committee That the Clergy are provided for by Law and that the Said propofition be rejected.—

On confideration of the Propofition from the Said County That Provifion be made for Security and defence of the Country.—

*Refolved*

It is the Opinion of this Committee That the Same is already confidered in the anfwer to the Governours Speech.—

The firft Vote being read a Second time was agreed to.

*Refolved*

That the Said Propofition from *Middlefex* County be referd to the confideration of the next Seflion of Affembly.—



The Second Vote being read a Second time was agreed to.

*Resolved*

That M<sup>r</sup>. *Holloway*, M<sup>r</sup>. *Clayton* and M<sup>r</sup>. *Robertson* be desired to proceed in the printing the Said Collection of Laws.—

The third, fourth and fifth Votes being read a Second time were agreed to

*Resolved.*

That the Said Propositions from the County of *Surry* be rejected.—

The Sixth Vote being read a Second time and the Question being put to agree with the Committee.—

It passed In the negative—

*Resolved*

That a Bill be prepared to Repeal the Laws making Negro's Real Estate And that it be refer'd to the Committee of Propositions and Grievances.

The Seventh and Eighth Votes being read a Second time were agreed to

*Resolved*

That the said Propositions, that a Reward be given for killing of Crows and squirrels and for Encouragement of the Clergy &c be rejected—

The ninth Vote being [read] a Second time was agreed to—

*Resolved*

That the Security and defence of the Country is already considered in the answer to the Governours Speech—

*Resolved*

That a Bill be prepared for amendment of the Several Laws in force relating to the method of granting and Seating Lands, and that the Same be referd to the Committee of Propositions and grievances.—

A proposition of Sundry persons for amending the breed of Horses was with the Leave of the House presented and read.—

*Resolved*

That a Bill be prepared according to the said Proposition and that the Same be referd to the Committee of Propositions and Grievances.

Adjourned til Eleven a Clock tomorrow morning.

## Tuesday November the 15<sup>th</sup> 1720

**A** BILL for Repealing an Act declaring the Negro, Mulatto and Indian Slaves in this Dominion to be Real Estate was read—the first time—

*Resolved*

That the Bill be read a Second time on *ffryday* next

A Bill for Settling New fferrys over *Pamunkey* and *Matapony* Rivers was read the first time

*Resolved*

That the Bill be read a Second time

A Bill for dividing *Richmond* County was read the first time

*Resolved*

That the Bill be read a Second time

A Bill for dividing *New Kent* County was read the first time.

*Resolved*

That the Bill be read a Second time—

M<sup>r</sup>. *Hamlin* produced a Certifycate of his having taken the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy, the abjuration Oath, the Test and Oath of a Burgefs and took his place.—

A Petition of *Abraham Cocke*, praying to be Enabled to Sell certain Intailed Lands in the County of *Henrico* on his fettleing other Lands of greater value in the County of *Prince George* to the Same Uses was read.—

*Resolved*

That a Committee be appointed to Examine the matter of the Said Petition and report their Opinions therein to the House. And It is referd to M<sup>r</sup> *Will<sup>m</sup> Randolph* and M<sup>r</sup> *Mumford*.—

*Ordered*

That the Several Accounts of money Expended for repairing the Capitol and building the Governours House, Since the last assembly be laid before this House.—

*Resolved*

That M<sup>r</sup> *Hawkins* have leave to go into the Country.

*Ordered*

That the Committee of Propositions and Grievances inspect the Law concerning Servants and Slaves and prepare a Bill for the Amendment thereof.—

Adjourned til Eleven a Clock to morrow Morning

*Wednesday November 16<sup>th</sup> 1720.*

A PETITION of the principal Inhabitants and freeholders on the West Side *Chicohominy* River in the County of *James City* praying that that part of *James City* may be added to *Charles City*, and that the Same be made One Intire parish was read.—

*Ordered*

That the Said Petition be referd to the consideration of the Com<sup>tee</sup> of Propositions and Grievances to Examine the matter and report their Opinions therein to the House.—

*Resolved*

That M<sup>r</sup> *Harrison* have leave to go into the Country for Recovery of his health—  
*Peter Beverley* Esq<sup>r</sup> Treafurer of the Dutys on Liquors and Slaves (according to Order) laid his Accounts thereof before the House.—

*Ordered*

That the Same do lye on the Table.—

M<sup>r</sup> *Clayton* reports from the Conference That the Members appointed had attended the Conference and offered propofals on the Subject matter of that part of the Governours Speech which relates to the Security of the frontiers of this Colony and that the Conferees of the Council answered That they desired time to consider the matters mentioned in those propofals and wou'd meet the Conferees of this House in the Conference Chamber tomorrow after prayers.

*Ordered*

That the Members that managed the last Conference do attend and Manage the free Conference tomorrow.—

*Ordered*

That M<sup>r</sup> *Robinson* and M<sup>r</sup> *Blair* do carry up the message to the Council

M<sup>r</sup> *Clayton* reports from the Committee of Propositions and Grievances That the Said Committee had had under their consideration Several matters to them refer'd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again twice read and agreed to by the House as followeth

On consideration of the Proposition from *Richmond* County That a ferry be appointed over *Rappahanock* River from Col<sup>o</sup> *Robinson*'s Quarter to M<sup>r</sup> *Micons*—

*Resolved*

That the Same be rejected

On confideration of the Propofition from *New Kent* County That the Two uppermoft Cantons in every frontier County may not go out of the parifh any farther than Some convenient place within the Said Cantons.—

*Refolved*

That the Same be rejected.

On confideration of the Propofition from *Middlefex* County That a Catechift may be provided to Instruct Negroes in the Chriftian Religion.—

*Refolved*

That the Same be rejected as Impracticable.—

On confideration of the Propofition from the *Ifle of Wight* County. That the Burgeffes County and parifh Dues be paid out of the Money in Bank.

*Refolved*

That that part of the Propofition relating to the Burgeffes is already answered and that the other part be rejected.—

On confideration of the Propofition from the Said County relating to Entrys and Clearing of Goods to and from *North Carolina*

*Refolved.*

That the Same be rejected.—

On confideration of the Propofition from *Prince George* County That Negro's may be prevented from meeting in great Companys on *Sondays* and Holydaies.

*Refolved*

That the Same be rejected being already provided for by Law.

On confideration of the Propofition from the faid County relateing to takeing up Lands.

*Refolved*

That the fame is propofed to be releived by a Bill already ordered to be brought in

M<sup>r</sup>. *Corbin* reported from the Committee of Elections and Priviledges That the faid Committee had had under their confideration the Return of the Writ for the Election of a Burgefs to Serve in this prefent General Affembly for the County of *Prince George* in the room of M<sup>r</sup>. *Edward Goodrich* deceased and were come to a Refolution thereupon which he read in his place and afterwards delivered the Same in at the Table where it was again read. and agreed to by the Houfe as follows.—

*Refolved*

That M<sup>r</sup>. *John Hamlin* is duly returned a Burgefs to Serve in this prefent General Affembly for the faid County of *Prince George*

A memorial of the freeholders and Inhabitants of the City of *Williamfburgh* praying That this Houfe will give Such a Sum of money out of the publick Treafury for the Improving the faid City as to them fhall Seem neceffary was read.

*Ordered*

That the fame do lye on the Table.—

M<sup>r</sup>. *Will<sup>m</sup> Randolph* reports That the perfons appointed had (according to Order) Examined the Petition of *Abraham Cocke* and were of Opinion That the Allegations therein were true.

*Ordered*

That M<sup>r</sup>. *William Randolph* and M<sup>r</sup>. *Mumford* prepare and bring in a Bill according to the Prayer of the Said Petition—

A Bill giving a reward for killing of Wolves and repealing all other Acts relating thereto was read the firft time—

*Refolved*

That the Bill be read a Second time.

A Bill for dividing *Richmond* County was read the Second time.

A Bill for fetling New fferryys over *Pamunkey* and *Matapony* Rivers was read the Second time—

*Refolved*

That the faid Bill be ingroffed

Adjourned til Eleven a Clock tomorrow Morning—

*Thursday*

*Thursday November the 17<sup>th</sup> 1720*

**C**LAIMES from the County of *Norfolk* were with the leave of the House received.—  
*Ordered*

That the same be refer'd to the Consideration of the Committee of Claimes to Examine the matter and report their Opinions therein—to the House.—

M<sup>r</sup> *Corbin* reports from the Committee of Elections and Priviledges That the Said Committee had had under their consideration the petition of M<sup>r</sup> *Joshua Curl* complaining of an undue Election and Return of M<sup>r</sup> *Anthony Armistead* to Serve in this present General Assembly for the County of *Elizabeth City*, and were come to a Resolution thereupon—which he Read in his place and afterwards delivered the Same in at the Table— And the Same was again read and agreed to as follows.—

*Resolved*

That M<sup>r</sup> *Anthony Armistead* is not duly Elected a Burgess to Serve in this present General Assembly.—

*Ordered*

That M<sup>r</sup> *Roscow* M<sup>r</sup> *Ricketts* and M<sup>r</sup> *Stith* do attend the Govern<sup>r</sup> and desire him to order a new writt to Issue for Electing a Burgess to Serve in this present General Assembly for the County of *Elizabeth City* in the room of M<sup>r</sup> *Anthony Armistead* unduely Elected.—

M<sup>r</sup> *Grymes* having obtained Leave presented to the House a Bill to Explain and amend part of an Act Intituled *an Act for Regulating the Elections of Burgeffes for settling their Priviledges and for ascertaining their Allowances* And the Same was read the first time.—

*Ordered*

That the Bill be read a Second time.—

A Bill giving a Reward for killing of Wolves and repealing all other Acts relating thereto was read the Second time

*Resolved*

That the Bill be Ingrossed.

M<sup>r</sup> *Clayton* reports the matter delivered at the free Conference.

*Ordered*

That the consideration of that report be referd to the Committee of the whole House to which the further consideration of the Govern<sup>r</sup>s Speech is referd, And that M<sup>r</sup> *Clayton* do present the Same to the Said Committee.

*Resolved*

That this House will tomorrow Resolve it self into a Committee of the whole House further to consider the Governours Speech.

Adjourned til Eleven a Clock to morrow morning.

*Friday November the 18<sup>th</sup> 1720.*

**A** BILL for dividing the Parish of *Henrico* in the County of *Henrico* was read the first time—

*Resolved*

That the Bill be read a Second time.—

The House according to order resolved it Self into a Committee of the whole House further to proceed in the consideration of the Govern<sup>r</sup>s Speech

M<sup>r</sup> *Speaker* left the Chair.

M<sup>r</sup> *Clayton* took the Chair of the Committee

M<sup>r</sup> *Speaker* Refumed the Chair.

M<sup>r</sup> *Clayton* reports from the Said Com<sup>tee</sup> That they had had under their consideration, the Subject matter of the Conference on that part of the Governours Speech which relates

relates to the Security of the frontiers of this Colony And had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was twice read and with Some amendments agreed to by the Houfe as follows.

*Resolved*

That it is neceffary for the defence and Security of frontiers of this Colony That forts be built at the Two paffes thro' the Great Ridge of Mountaines. And that the King be addreffed to Erect and furnifh the faid forts and to Send over under his Majefties pay Two Companys of Soldiers of fifty Men each Exclusive of Officers to Garrifon the Same.

*Resolved.*

That a Bill be prepared for Erecting Two Countys of Narrow Extent the One to be bounded on the North by *Rappahanock* and the other on the South by *Ronoak* Rivers and to Extend Weftward to the River on the other fide the great Mountaines Including the Said paffes.—

*Resolved*

That provifion be made in the Said Bill That all perfons within the Said Countys be Exempt from paying Publick Levys for Ten Yeares and that the Sum of One Thoufand pounds be given that is to fay five hundred pounds to be laid out in each of the faid Countys for Building a Church and Courthoufe and that each of the Said Counties be One entire Parifh—

*Resolved*

That his Majefty be addreffed to remit his Quit Rents of all Lands within the Bounds of the Said Two Countys for Ten yeares and the money which fhall hereafter become due for Rights upon taking up Lands within the Said Countys.—

*Resolved*

That further Provifion be made in the Said Bill for giving the Sum of One Thoufand pounds for the Arming Such Chriftian Tythable perfons as fhall go and Inhabit within the faid Countys hereafter (that is to Say) for the furnifhing each man with One Gun a Bayonet a Cartouch Box Eight Pounds of Bullett and Two pounds of Powder.

*Ordered*

That the Committee of Propofitions and Grievances prepare and bring in a Bill according to the faid Refolves.—

The Queftion was put.—

That it be an Inftitution to the Said Committee to infert a Clause in the Said Bill, for putting the Said Companys of Soldiers, under the Direction of the Governour and Council of this Colony.—

It paffed In the Negative.—

*Resolved*

That the fame be inferted in the Addrefs to his Majefty.—

*Resolved.*

That this Houfe will to morrow Refolve it felf into a Committee of the whole Houfe to proceed further in the confideration of the Governours Speech.—

Mr. *Ejcridge* Reports from the Committee of Elections and Priviledges That the faid Committee had appointed a Time for the hearing the petition of Mr. *John Robinfon* Complaining of an undue Election and Return of *Gawin Corbin* Gent. to Serve in this prefent Affembly. for the County of *Middfex* And (the faid *John Robinfon* having failed to appear at the day) the Said Committee were come to a Refolution thereupon which he read in his place and afterwards delivered the Same in at the Table where it was again read—and agreed to as followeth.—

*Resolved*

That the Said Petition be Rejected.—

*Resolved.*

That the Bill for repealing an Act declaring the Negro Mulatto and Indian Slaves in this Dominion to be Real Eftate be read the Second time to Morrow.—

An Ingrossed Bill Intituled *an Act for dividing Richmond County* was read the third time

*Resolved*

That the Bill do pass.—

*Ordered.*

That M<sup>r</sup> *Robinson* and M<sup>r</sup> *Woodbridge* do carry the Bill to the Council and desire their Concurrence thereto.—

Adjourned til Eleven a Clock tomorrow morning.

*Saturday November the 19<sup>th</sup> 1720.*

A BILL dividing *New Kent* County was read the Second time.

*Resolved* upon the Question.

That the Bill be Ingrossed.—

A Bill for dividing the Parish of *Henrico* in the County of *Henrico* was read the Second time.

*Resolved*

That the Bill be Ingrossed.

A Bill intituled *an Act giving a Reward for killing of Wolves and Repealing all other Acts relating thereto* was read the Third time.

*Resolved*

That the Bill do pass.—

*Ordered*

That M<sup>r</sup> *Burwell*, M<sup>r</sup> *Boufh*, and M<sup>r</sup> *Presly* do carry the Bill to the Council and desire their Concurrence thereto—

A Bill for the more Effectual preventing the Tending of Seconds was read the first time

*Resolved*

That the Bill be read a Second time.—

*Ordered*

That M<sup>r</sup> *Grymes* M<sup>r</sup> *Roscow* and M<sup>r</sup> *Jones* Inspect and Examine the Treasurers Accounts and Report their Opinions therein to the House—

A paper Subscribed by Sundry Inhabitants of *King* and *Queen* Complaining of great Damages done by Crows ffoxes and Squirrels and proposing that Rolling houses be appointed on the Rivers was read.

*Ordered.*

That the same be referd to the confideration of the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the House.

A Petition of *John Tyler* praying an Allowance for his Negro man *Priamus* who had his Right Arm shot of and his other Arm and Several parts of his Body very much Shattered and wounded as he was firing the great Guns the 20<sup>th</sup> day of *October* 1719 being the Anniverfary of his Majesties Coronation was read.

*Ordered*

That the Same be refer'd to the confideration of the Committee of Claims to Examine the matter and report their Opinions therein to the House.

The petitions of *Chicheley Corbin Thacker* praying to be allowed as usual for the Services by him done in the Secretary's Office and General Court as Clerk thereof and that an allowance be made to the Estate of *William Cocke* Esq<sup>r</sup> late Secretary for Issuing Two Writs for Election of Burgefes were read.—

*Ordered*

That the Same be referd to the confideration of the Committee of Claimes to Examine the matter and report their Opinions therein to the House.

A Proposition of *James Shields* for making alterations in the Publick Goal was read.  
*Ordered*

That the Same be referd to the confideration of the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the Houfe.—

*Ordered*

That the Houfe be called over on *Monday* at Twelve a Clock.

Then the Houfe Resolved it Self into a Committee of the whole Houfe to proceed further in the confideration of the Governours Speech.—

M<sup>r</sup>. *Speaker* left the Chair

M<sup>r</sup>. *Clayton* took the Chair of the Committee

M<sup>r</sup>. *Speaker* Refumed the Chair

M<sup>r</sup>. *Clayton* reports from the faid Committee That they had had under their confideration part of the Governours Speech and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again read and agreed to by the Houfe as follows.—

*Resolved*

That the difarmed Condition of the Militia be referd to the confideraçon of the next Seflion of Affembly.

*Resolved*

That the Inconvenient Length of Some Countys has been already confidered And that the Inconvenience of any other Countys be confidered when the Same fhall be propofed.—

*Resolved*

That this Houfe will again Resolve it Self into a Committee of the whole houfe on *Monday* next. further to proceed in the Confideration of the Governours Speech.—

A Bill for repealing an A<sup>c</sup>t declaring the Negro Mulatto and Indian Slaves in this Dominion to be Real Eftate was read the Second time.

*Resolved* upon the Queftion.

That the Bill be Rejected.—

*Resolved*

That M<sup>r</sup>. *Clayton* and M<sup>r</sup>. *Blair* have Leave to bring in a Bill for Remedying the Inconvenient Length of the Countys of *New Kent James City* and *York*.—

Adjourned til *Monday* Eleven a Clock in the morning.—

### *Monday November 21<sup>st</sup> 1720.*

**A** BILL to Explain and amend part of an A<sup>c</sup>t Intituled *an A<sup>c</sup>t for regulating the Elections of Burgeffes for Selling their Priviledges and for afcertaining their Allowances* was read the Second time—

*Resolved*

That the faid Bill be committed to the Committee of Propositions and Grievances for Amendments.—

M<sup>r</sup>. *Clayton* laid his Accounts of money received for Lots in the City of *Williamsburgh*, and difburefments in repairing the Capitol.

*Ordered.*

That M<sup>r</sup>. *Grymes*, M<sup>r</sup>. *Rofcow* and M<sup>r</sup>. *Jones* inspect and Examine the Said Accounts, and report their Opinions therein to the Houfe—

Several Claimes from the County of *Iſle of Wight* were with the Leave of the Houfe received.

*Ordered*

That the Same be referd to the Committee of Claimes to Examine the matter and report the fame with their Opinions therein to the Houfe.

A Bill to Enable *Abraham Cock* to Sell certain Intailed Lands and for fetling other Lands to the Same uses was read the first time—

*Resolved*

That the Bill be read a Second time

The House according to Order was called over.

*Resolved*

That the absent Members be Excused.

A Bill intituled *an Act for dividing New Kent County* was read the third time And an amendment was made therein—

*Resolved*

That the Bill with the Amendment do pass.—

A Bill intituled *an Act for dividing the Parish of Henrico in the County of Henrico* was read the Third time.

*Resolved*

That the Bill do pass.

A Bill intituled *an Act for fetling New fferrys over Pamunkey and Matapony Rivers* was read the third time—

*Resolved*

That the Bill do pass—

*Ordered*

That the Committee of Propositions and Grievances do carrye up the Bills to the Council and desire their Concurrence thereto

*Ordered*

That the memorial of the freeholders and Inhabitants of the City of *Williamsburgh* be refer'd to the Committee of Propositions and Grievances to Examine the matter and report the Same with their Opinions therein to the House.

Then the House according to Order Resolved it Self into a Committee of the whole House further to proceed in the consideration of the Governours Speech.

M<sup>r</sup> *Speaker* left the Chair

M<sup>r</sup> *Clayton* took the Chair of the Com<sup>tee</sup>

M<sup>r</sup> *Speaker* resumed the Chair

M<sup>r</sup> *Clayton* reports from the Said Com<sup>tee</sup> That they had had under their Consideration that part of the Governours Speech relating to Treaties with the five Nations of Northern Indians Together with the Sentiments of the Lords Commiff<sup>rs</sup> for Trade and Plantations thereupon and that they had likewise considered the Governours written Message to this House with his Letter to Col<sup>o</sup> *Schylers* and the Preliminary Articles therein mentioned. And had agreed upon a report which he read in his place, and afterwards delivered the Same in at the Table where the Same was again twice read and agreed to by the House and it is as follows.

*Resolved*

That it is absolutely necessary That the Preliminary Articles mentioned in the Governours written Message be conceded by the Indians of the five Nations to the Government of *Virginia* before any formal Treaty for renewing the Covenant Chain.

*Resolved*

That the Govern<sup>r</sup> be not advised or Enabled to Send Commiff<sup>rs</sup> to Treat with the Said five Nations at *Albany*. before they or the Government of *New York* shall return Some Satisfactory Answer to those Preliminaries.

*Resolved*

That an address be prepared to the Governour in answer to So much of his Speech as relates to the Treatys with the five Nations of Northern Indians, and that the Council be desired to Concur in the Same.

*Resolved*

That a free Conference be desired with the Conferees of the Council on the Subject matter of the last Conferences tomorrow at One a Clock And that M<sup>r</sup> *Grymes*, M<sup>r</sup> *Johnson*, and M<sup>r</sup> *Teackle* do go up with the Message to the Council.—

*Ordered*



*Ordered*

That the members that managed the laft free Conference do attend and manage this free Conference—

Adjourned til to morrow Eleven a Clock in the Morning.

*Tuesday November the 22<sup>d</sup> 1720*

**A** MESSAGE from the Council, That they had agreed to meet this Houfe at a free Conference in the Conference Chamber.—

M<sup>r</sup>. *Clayton* laid before the Houfe Several Accounts of the Difburfements in the building the Governours Houfe, the Church Magazine and Prifon—

*Ordered*

That the Said Accounts be referd to M<sup>r</sup>. *Grymes*, M<sup>r</sup>. *Rofcow*, and M<sup>r</sup>. *Jones*, to Infpect and Examine the Same and report their Opinions therein to the Houfe.—

M<sup>r</sup>. *Corbin* reports from the Committee of Elections and Privileges that they had had under their Confideration the Petition of M<sup>r</sup>. *John Bolling* Complaining of an undue Election of M<sup>r</sup>. *Thomas Randolph* to Serve in this Prefent General Affembly for the County of *Henrico* and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read. and with an Amendment agreed to by the Houfe as follows.—

*Resolved*

That the Said M<sup>r</sup>. *Bolling* hath failed to prove his Said Complaint or any part thereof And that the Same is frivolous and Scandalous—

*Resolved*

That the Said Petition be Rejected.—

A Bill to Enable *Abraham Cocke* to Sell Certain Intailed Lands and for Setling other Lands to the Same Ufes, was read the Second time.

*Resolved*

That the Bill be Ingroffed—

A Bill for the more effectual preventing the Tending of Seconds was read the Second time.—

*Resolved*

That the Bill be Ingroffed—

A Petition of *Chicheley Corbin Thacker* praying an Allowance for making out Eight hundred and fifty Commissions for the Militia of this Country and Twenty of the Governours L<sup>r</sup>es of Directions to the County Lieutenants for regulating the Militia was read—

*Resolved* upon the Queftion—

That the Said Petition be rejected—

*Resolved*

That M<sup>r</sup>. *Willis* have Leave to be abfent from the Service of the Houfe til *Munday* next.—

M<sup>r</sup>. *Clayton* reports from the Conference That the Members appointed had attended the Conference, and communicated to the Conferees of the Council, the Resolves of this Houfe relating to the frontiers And that they answered they would report the Same to the Council and Send their Anfwer to this Houfe.—

Adjourned til to morrow Eleven a Clock in the Morning.—

*Wednesday November the 23<sup>d</sup> 1720.*

**M**R *Lear* produced a Certifycate of his having taken the Oathes appointed by Act of Parliament to be taken inftead of the Oathes of Allegiance, Supremacy, the abjuration Oath, The Teft and Oath of a Burgefs and took his place—

A Bill intituled *an Act to Enable Abraham Cock to Sell certain Intailed Lands and for Settleing other Lands to the Same ufes.* was read the third time—

*Resolved*

*Resolved*

That the Bill do pass—

A Bill intituled *an act for the more effectual preventing the tending of Seconds* was read the third time—

*Resolved*

That the Bill do pass.

*Ordered*

That the Committee of Propositions and Grievances carry the Bill to the Council and desire their Concurrence thereto—

A Proposition of *John Holt* for keeping the ferry at *Hog Island* and building a bridge over the Creek which divides the Same from the Main was read.—

*Ordered*

That the Same be refer'd to the Committee of Propositions and Grievances to Examine the matter and report their Opinions therein to the House.

*Mr. Clayton* reports from the Committee of Propositions and Grievances That they had had under their Consideration Several of the matters to them refer'd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again read and upon the Question agreed to and is as follows.—

On consideration of the Propositions from *Prince George* County That the Parish of *Martin Brandon* and the parts of the Several Parishes of *Weynoak Westopher* and *Bristol* which lye in the afore said County of *Prince George* may be dissolved and made Two Parishes.

*Resolved*

That that part of *Westopher* and *Weynoak* parishes which lye on the South Side of *James River* and *Martin Brandon* parish be One intire Parish and that a Chappel be built in *Bristol* Parish on *Stony Creek* near *Joshua Wynns* plantation and that a Bill be prepared accordingly.—

On consideration of the Proposition from *Charles City* County That that part of *James City* County which lyeth on the West Side of *Chicohominy* River may be added to *Charles City* County and that the Said River may be the Bounds of the County, As also of the Petition of the Principal Inhabitants and freeholders of *James City* County on the West Side of the Said River praying they may be added to *Charles City* County and that the Said County of *Charles City* may be One intire Parish.—

*Resolved*

That that part of *Westopher* and *Weynoak* Parishes lying on the North side of *James River* and that part of *Wallingford* Parish above *Chicohominy* River be our [one] intire Parish and that that part of the Proposition which relates to the County is reasonable And that a Bill be prepared accordingly.—

On consideration of the Several Petitions from the Upper Inhabitants of *Effex* and Sundry Inhabitants of *King* and *Queen* Countys praying That a convenient County may be cut off from the heads of *Effex*, *King* and *Queen* and *King William* Countys and that the Lower parts of the Said Three Countys may contribute towards the Publick buildings which must be Erected

*Resolved*

That the Same have been considered in the answer to the Governours Speech.

*Ordered*

That the Members for *Prince George* and *Charles City* Countys do prepare and bring in a Bill for making that part of *Westopher* and *Weynoak* parishes which ly on the South Side of *James River* and *Martins Brandons* parish One intire parish and for building a Chappel in *Bristol* parish as afore said.—

*Ordered*

That the Members for *Charles City* and *James City* Countys prepare and bring in a Bill for adding that part of *James City* County which lyeth above *Chicohominy* River to *Charles City* County and for making that part of *Westopher* and *Weynoak* Parishes

which

which lyes on the North side *James River* and that part of *Wallingford* parish which lyeth above *Chicohominy River* One intire parish—

Severall Claimes from *Nansfemond* were by Leave of the Houfe received.

*Ordered*

That the same be refer'd to the Consideration of the Committee of Claimes to Examine the matter and report the Same with their Opinions therein to the Houfe.

*Resolved* upon the Queſtion

That a Committee be appointed to attend the Governour and desire him to Communicate to them what he thinks proper to be done for the finishing the Governours Houfe Gardens and other works which he is Impowered by Law to finish and to view all the Improvements that have been made Since *Christmas 1717* in the Gardens for the Ornament and preservation thereof and to compute the Charge of the whole and report their Opinions therein to the Houfe; and is it referd to the Committee of Propoſitions and Grievances

A Meſſage from the Council That they desire a free Conference with this Houfe on the Subject matter of the laſt Conference

*Resolved*

That the Houfe doth agree to meet the Council at a preſent free Conference in the Conference Chamber.

*Ordered*

That the Members that managed the laſt free Conference attend and manage this free Conference.—

M<sup>r</sup>. *Clayton* reports That the Members appointed had attended the Conference and that what the Conferees of the Council delivered was to the Effect following.—

That the Council agree That the *Refolves* Communicated are proper heads, both for the Addreſs and the Bill

That more proper Bounds may be found for the Southern County Such as were Shewed Yeſterday at the Conference which are referd to be conſidered by the Burgeſſes when the Bill ſhall be prepared.—

That the Pariſh of *S<sup>t</sup> George* being Erected in the Northern County by Law the Same be diſſolved Seing the like priviledges as were granted to that pariſh are now given to the whole County.

That the Council will Join with the Burgeſſes Addreſs to the King and have appointed Two of their Members to Joyn with Such as the Burgeſſes ſhall name to prepare the Said Addreſs.—

*Resolved*

That a Committee be appointed to Joyn with a Committee of the Council in preparing an Addreſs to the King of the Members following

M<sup>r</sup>. *Clayton*—

M<sup>r</sup>. *W<sup>m</sup> Randolph*

M<sup>r</sup>. *Grymes*

M<sup>r</sup>. *Burwell*.

*Resolved*

That it be an Inſtruction to the Com<sup>tee</sup> that prepares the Bill for Erecting the Two New Counties that proviſion be made for confining the Soldiers intended to Garriſon the ſorts within Certain Limits.—

Adjourned til Eleven a Clock to morrow Morning

*Thursday November the 24<sup>th</sup> 1720*

**M**R *Clayton* reports from the Committee appointed to prepare Journals of the laſt Seſſion of the laſt Aſſembly and to prepare and draw up a State of the matters then depending and undetermined, That the Committee had agreed upon a report which he read in his place and afterwards delivered the ſame in at the Table where it was again read and is as followeth—

Purſuant to the Order of the Houfe. We having inſpected the Journal of the laſt Seſſion of Aſſembly.—

Do find the Petitions of the upper and Lower Inhabitants of the Parish of *S<sup>t</sup>. John* in the County of *King William* for dividing the Said Parish were referd to the consideration of this Assembly.

We also find the proposition from *Northampton* County relating to the printing the Laws of this Country and Exposing the Same to Sale in every County was referd to the consideration of this Assembly.

As also the Petition of *Thomas Jones* in behalf of himself and other Members of the late *Virginia* Indian Company was refer'd to the consideration of this Assembly.—

As also the Memorial of *John Broadnax* was referd to the consideration of the Assembly.—

*Resolved*

That the Members for the County of *King William* have leave to bring in a bill for dividing the Parish of *S<sup>t</sup>. John* in the said County.

*Ordered*

That the said Petition of *Thomas Jones* be referd to the consideration of the Committee of Claimes to Examine the matter and report the Same with their Opinions therein to the House—

*Ordered*

That the Said Memorial of *John Broadnax* be referd to the consideration of the Committee of Propositions and Grievances to bring in a Bill according to the Proposals therein contained if they think the Same necessary.—

*M<sup>r</sup>. Clayton* further reports from the Committee of propositions and Grievances That they had had under their consideration Several matters to them referd and had agreed upon a report which he read and afterwards delivered the Same in at the table where it was again read and is as follows.—

Upon the consideration of the Petition of the Upper Inhabitants of *Accomack* County praying that a Church may be built convenient to the Center of the Said County and not as directed by the Vestry and that the Minister may be obliged to preach at the Churches only and not at the Courthouse—

*Resolved*

That a Church be built upon *Long Love* Branch near *John Taylors* plantation and a bill be prepared accordingly—

Upon consideration of the Petition of *James Shields* praying That the publick Goal for Criminals in *Williamsburgh* may be made more Comodious and a house built adjoining to the Same for the Keeper thereof.—

*Resolved*

That the Same be rejected.—

On consideration of the Grievance from *King* and *Queen* County relating to Squirrels foxes and Crows.

*Resolved*

That the Same be rejected.

On consideration of the Proposition from the Said County That Rolling houses may be appointed on the Rivers.

*Resolved*

That the Same be rejected Sufficient Provision being already made by Law.

On consideration of the Proposition from *New Kent* County That Rangers may be appointed in every frontier County.

*Resolved*

That the Same be rejected.—

On consideration of the Proposition from the Said County That Guns and Swords may be provided for the poorer Sort of the People who are not able to purchase the Same.—

*Resolved*

That the same be considered next Session of Assembly with the Govern<sup>r</sup>s Speech relating to the Disarmed Condition of the Militia.—

On confideration of the Propofition from the Said County That Lewd Women bringing Baftards may be punifhed.—

*Refolved*

That the Same be rejected.—

The firft Refolve was read a Second time and agreed to.

*Refolved*

That the members for *Accomack* have leave to bring in a Bill for Building a Church upon *Long Love* Branch as aforefaid.—

The Second and third Refolves were read the Second time and Severally agreed to—

*Refolved*

That the Petition of *James Shield* and the Grievance from *King* and *Queen* above mentioned be rejected.—

The fourth Refolve being read a Second time & the Queftion being put to agree with the Committee.

It paffed In the Negative—

*Ordered*

That M<sup>r</sup>. *Beverley*, M<sup>r</sup>. *Braxton* and M<sup>r</sup>. *Waller* do prepare and bring in a Bill for Explaining and Amending the Law. relating to Rolling Houfes.

The fifth and Sixth Refolves were again read and Severally agreed to.—

*Refolved*

That the Propofitions from *New Kent* That Rangers be appointed in every frontier County be rejected

*Refolved*

That the Propofition from the Said County That Guns and Swords may be provided for the poorer Sort of People be referd to the confideration of the next Seffion of Affembly.

The Seventh Refolve was again read and agreed to with an Amendment

*Refolved.*

That the Propofition from the Said County That Lewd women bringing Baftards may be punifhed, be rejected the Same being provided for by Law.—

*Refolved* upon a Motion—

That the Members for the County of *Northampton* have leave to bring in a Bill for altering the day for holding a Court in the Said County.—

*Refolved*

That M<sup>r</sup>. *Waller* have Leave to go into the Country upon Extraordinary Bufinefs.

*Refolved—*

That a Committee be appointed to confider what fees fhall be allowed to the Officers of the Houfe of Burgeffs for the Extraordinary bufinefs by them performed and report the Same to the Houfe and It is refer'd to the Committee of Claimes.

A written Meffage from the Governour was delivered by M<sup>r</sup>. *Robertfon*—

*M<sup>r</sup>. Speaker and Gentl'men of the Houfe of Burgeffes.*

I Send you a Petition which I lately received containing Some Propofals for Building and keeping a Lighthouse at Cape *Henry* and at the Same time I inform you that application hath heretofore been made by fome confiderable perfons in the Government of *Maryland* To the end the Affemblies of both Colonys might be moved to Concur in the like Defign wherefore if you think fit to come into any meafures for that purpofe with a Provifo That *Maryland* perform their part I fhall readily hand to the Governour of that Province your refolutions on that head.—

*November the 24. 1720.*

*A. Spotswood.*

*Refolved*

That this Houfe will on *Wednesday* next Refolve it Self into a Com<sup>tee</sup> of the whole Houfe to confider the Said Meffage.—

A Meffage from the Council That they had agreed to the Bill Entituled *an Act for dividing Richmond County with an amendment* To which they defire the Concurrence of this Houfe

The Said Amendment being thrice read was agreed to.—

*Resolved*

That a Message be Sent to the Council to acquaint them That this House has agreed to the amendment made by them to the Bill for Dividing *Richmond* County and that M<sup>r</sup>. *Robinson* go up with the Message.—

M<sup>r</sup>. *Speaker* complained to the House That Two daies agoe M<sup>r</sup>. *Phil<sup>p</sup>. Lightfoot* at the Door of the House of Burgeffes gave him very affronting Language and accused him of betraying his County.—

*Ordered*

That M<sup>r</sup>. *Philip Lightfoot* be Sent for in Custody of the messinger attending this House to answer at the Barr of this House the Said Affront offered to M<sup>r</sup>. *Speaker*.—

*Resolved*

That a Message be Sent to the Council That this House has appointed a Committee to Joyn with the Committee of the Council in preparing an Address to the King.

*Ordered*

That the Committee of Propositions and Grievances do Carry the Resolve of this House for paying the Burgeffes and Charges of this Assembly in Money at the rate of Ten shillings a hundred for Tobacco to the Govern<sup>r</sup>. and Council and desire their Concurrence thereto.—

A petition of the upper Inhabitants of S<sup>t</sup>. *Pauls* Parish in the County of *New Kent* praying to be divided from the said parish was read—

*Ordered*

That the Same do lye on the Table—

Adjourned til Eleven a Clock tomorrow Morning.

*Fryday November the 25<sup>th</sup> 1720.*

**A** BILL to divide those parts of the parishes of *Westopher* and *Weynoak* which lye on the South Side of *James* River from those parts of the Said parishes which lye on the North side the Said River and for uniting *Westopher* and *Weynoak* Parishes on the South side *James* River to *Martin Brandon* Parish in the County of *Prince George* and for Erecting a Chappell in *Bristol* Parish in the Said County was read the first time.—

*Resolved*

That the Bill be read a Second time.—

*Resolved*

That M<sup>r</sup>. *Mumford* have leave to be absent from the Service of the House til *Wednesday* next.—

M<sup>r</sup>. *Corbin* reports from the Committee of Elections and Priviledges That they had had under their consideration the Petition of M<sup>r</sup>. *Daniel M<sup>c</sup>Carty* complaining of an undue Election of M<sup>r</sup>. *Thomas Lee* to Serve in this present Assembly for the County of *Westmorland* and had appointed a Day for hearing the Same which being past and M<sup>r</sup>. *Mac Carty* desiring a further time might be appointed for the hearing his Said Complaint The Said Committee had thereupon appointed *Wednesday* next being the Thirtieth day of *November*.

And after a long Debate, the Question was put

That the report of the Said Committee be agreed to—

*Resolved*

In the Affirmative—

M<sup>r</sup>. *Corbin* further reports from the Said Committee That they had had under their Consideration the Petition of M<sup>r</sup>. *Charles Grymes* Complaining of an undue Election of M<sup>r</sup>. *Charles Barber* to Serve in this present Assembly for the County of *Richmond* and had appointed a Day for hearing the Same which being past And the Petitioner not appearing

to

to prove the matter of his Complaint the Said Committee were come to a Resolution which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to with an Amendment and is as follows—

*Resolved*

That the Said Petition is vexatious and Scandalous and that the same be rejected.—  
Adjourned til Eleven a Clock tomorrow morning.

*Saturday November the 20<sup>th</sup> [26<sup>th</sup>] 1720.*

**O***RDRED*

That M<sup>r</sup>. *Bridger*, M<sup>r</sup>. *Esfridge*, and M<sup>r</sup>. *W<sup>m</sup> Ball* have Leave to be absent from the Service of the House til *Tuesday* next.—

A Message from the Council That they have agreed to the Bill intituled *an Act for dividing New Kent County* and also to the Bill intituled *an Act to Enable Abraham Cock to Sell certain Intailed Lands and for Selling other lands to the Same uses* That they propose Several amendments to the Bill intituled *an Act giving a Reward for killing of Wolves and repealing all other Acts relating thereto*—And to the Bill intituled *an Act for the more Effectual preventing the Tending of Seconds*—And also to the Bill intituled *an Act for Settling New fferrys over Pamunkey and Matapany Rivers* to which they desire the Concurrence of this House.—

And the amendments proposed to the Bill intituled *an Act giving a Reward for killing of Wolves and the Repealing all other Acts, relating thereto* And also to the Bill intituled *an Act for the more Effectual preventing the Tending of Seconds* being read Three times were Severally agreed to—

*Resolved*

That this House will on *Monday* next consider the Amendments proposed by the Council to the Bill intituled *an Act for Selling New fferrys over Pamunkey and Mattapany Rivers*.

M<sup>r</sup>. *Armistead* produced a Certificate of his having taken the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy, the Abjuration Oath, the Test and Oath of a Burgefs and took his place.—

A Bill for Explaining and amending an Act intituled *an Act for appointing Rolling Houses and Publick Landings and ascertaining the Prices of Storeage* was read the first time.

*Resolved*

That the Bill be read a Second time—

A Bill to divide those parts of the Parishes of *Westopher* and *Weynoak* which lye on the South Side of *James* River from those parts of the Said Parishes which lye on the North Side the Said River and for uniting *Westopher* and *Weynoak* Parishes on the South side *James* River to *Martin Brandon* Parish in the County of *Prince George* and for Erecting a Chappel in *Bristol* Parish in the Said County was read the Second time.—

*Resolved*

That the Bill be Ingroffed.—

M<sup>r</sup>. *Clayton* reports from the Committee of Propositions and Grievances That they had had under their consideration Several matters to them refer'd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again read.

*Ordered*

That the Said Report do ly on the Table.

The House being informed That M<sup>r</sup>. *Phil<sup>p</sup> Lightfoot* attended at the Door in Custody. After a Debate The Question was put

That M<sup>r</sup>. *Phil<sup>p</sup> Lightfoot* be called in

*Resolved*

In the affirmative—

And

And he being called in, M<sup>r</sup> *Speaker* by direction of the House Spoke to him in these words.—

M<sup>r</sup> *Philip Lightfoot*

You are accused That on *Tuesday* the 22<sup>d</sup> of this month you did in a rude and Insolent manner give very affronting Language to the Speaker of this House and did accuse him of betraying his County and that this hapned upon Discourse of Some matters that were then depending before this Assembly and this was at the door of the House.—

To which M<sup>r</sup> *Lightfoot* answered in these words—

M<sup>r</sup> *Speaker*

In Obedience to an order of this House I attend at your Barr in Custody to answer an affront offered to you at the door of the House of Burgeffes.—

It hapned M<sup>r</sup> *Speaker* That I was on *Tuesday* last in the Piazza of the Capitol and a Discourse was then moved about a Division of *York* County (of which I am an Inhabitant) And I think among others M<sup>r</sup> *Speaker* You your Self Spoke Somewhat in favour of Such Division—

As I remember a Petition Subscribed by many of the Gent<sup>l</sup> of *York* County against this Project was mentioned And you answered That you had Seen it and could See nothing in it upon this I believe I did ask you if you would betray Your County and if these words were delivered with Overmuch Earnestness (so as to be construed contrary to my Intentions) I cannot but be Sorry for it.

You know very well M<sup>r</sup> *Speaker* how a man is to be Construed in other places, his words are to be taken in the most mild Sence and I hope it will not be difficult in this Case to construe what I Said to you as a Representative of my County as hinting to you the Interest of the people rather than affronting you. And accusing you of not doing your duty in this house and indeed I did hope M<sup>r</sup> *Speaker* That the very great respect I have Shewn you in your private Capacity might have defended me from a Resentment on Account of private Conversation and Argument And I am Sure the Regard I shall ever have to this House and the Members of it is too Sacred to Suffer me wittingly to affront them on Account of their Duty.

And then withdrew

*Ordered*

That M<sup>r</sup> *Philip Lightfoot* do remain in Custody of the Messenger til *Wednesday* next and that he then attend at the Barr of the House further to answer the Speakers Complaint.

Adjourned til Eleven a Clock *Monday* Morning.

## *Monday November the 28<sup>th</sup> 1720.*

THE House proceeded to take into their Consideration the Amendments proposed by the Council to the Bill intituled *an Act for the more Effectual preventing the Tending of Seconds* and the Said Amendments were read and agreed to.—

A Bill for amending the breed of Horses was read the first time.—

*Resolved*

That the Bill be read a Second time—

Then the House proceeded to the consideration of the Report of the Committee of Propositions and Grievances made on *Saturday* last and the Same was read and agreed to by the House as follows—

On consideration of the Petition of *John Holt* relating to the ferry on *Hogg* Island and building a Bridge over the Creek which parts the Said Island from the Main.—

*Resolved—*

That a ferry be appointed and kept from M<sup>r</sup> *Higgenfons* on *James* River to *Hogg* Island and that the ferryage over the Same shall be One Shilling for a man and One shilling



filling for a Horfe and that the Court for the County of *Surry* build a Bridge according to Law over the Creek parting the Said Island from the Main and order a Road to be laid out to *Hogg* Island ferry Point.

And that if the Said *John Holt* present Owner of the Said Island shall refuse to keep ferry there according to Law That it shall be Lawfull for the Court of the Said County to lay of and Value Three Acres of his land and Marsh the most convenient for the use of Such person as shall keep ferry there who shall pay the Said *Holt* for the Same and that a Bill be prepared accordingly.

On confideration of the Petition of the Inhabitants of the City of *Williamjburgh* complaining of the Irregularitys of their principal Street and of the want of a Market house and the Inconveniency of the Publick Landings and representing That the Cheif Church of this Colony wants Some necessary ornaments and praying for a Supply out of the Publick Treasury for those Uses.—

*Resolved*

That the Sum of One hundred and fifty pounds be given towards making Bridges and Caufeways in the Main street and that the Money be paid to M<sup>r</sup> *Speaker*, M<sup>r</sup> *Clayton* and *Archibald Blair* who shall See the Same applyed and Account to the Assembly for the Same, and that the other matters in the Said Petition be rejected.—

*Ordered—*

That the Committee of Propositions and Grievances prepare and bring in a Bill according to the first Resolve.—

*Ordered*

That the Committee of Propositions and Grievances do carry the Second Resolve to the Governour and Council and desire their Concurrence thereto—

*Resolved*

That a Message be Sent to the Council That this House hath agreed to the Amendments proposed by them to the Several Bills mentioned in their Message of *Saturday* last And that the Com<sup>tee</sup> of Propositions and Grievances do go up with the Message.—

A Bill Entituled *an Act to divide those parts of the Parishes of Westopher and Weynoak which ly on the South side of James River from those parts of the Said Parishes which lye on the North side the Said River and for Uniting Westopher and Weynoak Parishes on the South side James River to Martin Brandon Parish in the County of Prince George and for Erecting a Chappell in Bristoll parish in the Said County* was read the Third time

*Resolved*

That the Bill do pass.—

*Ordered*

That M<sup>r</sup> *Hamlin* do Carry the Bill to the Council and desire their Concurrence thereto—

A Bill for Explaining and amending an Act Entituled *an Act for appointing Rolling houses and Publick Landings and Ascertainning the prices of Storage* was read the Second time

*Resolved*

That the Bill be Ingrossed

Adjourned til tomorrow Morning Eleven a Clock.

*Tuesday November 29<sup>th</sup> 1720.*

A WRITTEN Message from the Governo<sup>r</sup>. was delivered by M<sup>r</sup> *Robertson*.  
M<sup>r</sup>. *Speaker* and Gent<sup>l</sup>;  
of the House of Burgeffes.

In answer to your Message desiring me to Communicate to your Committee what I think proper to be done for finishing the Governo<sup>r</sup>s House Gardens and other works which I am Impowd [Impowered] by Law to finish, I take Occasion to remind you how I became Vested with that Power and what has followed thereupon—

You

You may observe by the Journal of your House in the year 1713 as well as by a Law passed the Same Session That I was desired by the Burgeffes to take upon me the Care of carrying on and finishing the Said works: In Compliance with their Request and in order to Save to the publick the annual Expence of One hundred pounds which had been paid to an Overseer for Eight years before (even during the time when the Building was entirely at a Stand) I did undertake the Trouble of providing Workmen Labourers and Materials and of directing and Inspecting their work but I made it an Express Condition that other persons should have the Charge of the Accounts— However being obliged to Advance my own money to pay the Workmen by reason of the deficiency of the Revenue at that time I was drawn in to take Minutes of Disbursements and to keep Vouchers of the greatest part of the Accounts, So that the Two Gentl'm: who were appointed for that purpose could not when called upon by the Assembly make up the Account of the Buildings without my assistance.

This has given me a greater Trouble than I ever intended to take upon me: and as my Concern in the works has not only induced me to furnish whatever belonged to me below other Peoples Rates; but also led me into generous Gifts of Several particulars So it is obvious that I must be a Loser If I have not been carefully Exact to take and keep a Receipt for every payment that I have made Seeing almost every Article of the Accounts now laid before you has been drawn from the Vouchers I produce.—

Whereupon you'll Excuse me if I decline all future Concern in these works and whoever you are pleased to appoint to Overseer them may inform you what Still remains to be done As he or they may likewise have in Charge if you think fit to get justly computed and valued the works of the Gardens that are left unrated, Especially Since it Seems to be too Troublesome an Affair for your Committee to Set about the Computation thereof And that I am loath to offer any Valuation of my own Gardiners and Servants performances

November the 28<sup>th</sup> 1720.

A. Spotswood

*Resolved*

That the said Message be considered tomorrow

M<sup>r</sup>. Clayton reports from the Committee of Propositions and Grievances to whom the Bill to Explain and amend part of an Act Intituled *an Act for regulating the Elections of Burgeffs for selling their Priviledges and for ascertaining their Allowances* was committed Several amendments made to the Bill which he read in his place and afterwards delivered the Same in at the Table where the Same were Twice read and upon the Question agreed to with an Amendment

*Resolved*

That the Bill with the Amendments agreed to be Ingrossed

A Bill for altering the day for Northampton County Court was read the first time—

*Resolved*

That the Bill be read a Second time—

A Bill for remedying the Inconvenient Length of *New Kent James City* and *York* Countys was read the first time

After a Debate

The Question was put,

That the Bill be read a Second time

It passed In the Negative

*Resolved*

That the Bill be rejected.

A Bill for Enlarging *Charles City* County and consolidating those parts of the Parishes of *Westopher* and *Waynoak* on the North Side *James River* and that part of *Wallingford* Parish on the West Side *Chicohominy River* was read the first time—

*Resolved*

That the Bill be read a Second time—

A Petition of Sundry of the Inhabitants of *James City* County Setting forth reasons against the said Bill was read.

*Ordered*

That the same do lye on the Table and that the Same be considered with the Second reading of the Bill—

Adjourned til Eleven a Clock tomorrow Morning.

*Wednesday November the 30<sup>th</sup> 1720*

**A** BILL intituled *an Act for Explaining and Amending an Act for appointing Rolling houses and publick Landings and ascertaining the prices of Storage* was read the third time.

*Resolved*

That the Bill do pass.

*Ordered*

That the Committee of Propositions and Grievances carry the Bill to the Council and desire their Concurrence thereto—

A Bill Entituled *a Act to Explain and amend part of an Act Entitled an Act for regulating the Elections of Burgeffes for Selling their priviledges and for ascertaining their Allowances* was read the Third time—

*Resolved*

That the Bill do pass.

*Ordered*

That the Committee of Propositions and Grievances carrye the Bill to the Council and desire their Concurrence thereto—

A Bill for Enlarging *Charles City* County and for Consolidating those parts of the Pairshes of *Westopher* and *Weynoak* on the North side *James* river and that part of *Wallingford Parish* on the West side of *Chicohominy* River was read the Second time.

A Petition of Sundry Inhabitants of *James City* County was likewise read

*Resolved* upon the Question—

That the Bill be Ingrossed.

*M<sup>r</sup>. Clayton* reports from the Committee of Propositions and Grievances That they had had under their consideration the memorial of *John Broadnax* and had agreed upon a Vote which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to with an Amendment and is as follows.—

*Resolved*

That the matters in the Said Memorial require Remedy and that the Same be provided for in the Bill ordered to be prepared to amend the Act concerning Servants and Slaves.

*Resolved* That the House will on *fryday* next consider the Governours written Message of Yesterday.

*Ordered*

That the matter of *M<sup>r</sup>. Speakers* Complaint against *M<sup>r</sup>. Philip Lightfoot* be referd to the consideration of the Committee of Elections and Priviledges to Examine the Same and report their Opinions therein to the House—and that the Said Committee Sit for that Purpose tomorrow Morning.—

*Ordered*

That *M<sup>r</sup>. Lightfoot* stail remain in Custody of the Messenger

Several Claimes from the County of *Igle* of *Wight* were with the Leave of the House received

*Ordered*

That the same be refer'd to the consideration of the Committee of Claimes to Examine the matter and report their Opinions therein to the House.

A Message from the Council That they have had under Consideration the Resolves of this House of the 21<sup>st</sup> Instant relating to renewing the Treatys with the Indians of the five Nations and do Concur with the House therein

And have also agreed to join in an Address to the Governour on the Subject matter of the Said Resolves and have appointed Two of their Number to Joyn with Such Members as this House shall think fit to nominate to prepare the Said Address.—

*Ordered*

That the Governours written Message of the 24<sup>th</sup> of *November* be considered to morrow in a Committee of the whole House.—

*Resolved*

That a Committee be appointed to Join with a Com<sup>tee</sup> of the Council in preparing an Address to the Governour—of the Members following.—

M<sup>r</sup>. *Corbin*

M<sup>r</sup>. *Robinson*

M<sup>r</sup>. *Beverley*

M<sup>r</sup>. *Merewether*

Adjourned til Eleven a Clock to morrow morning.

### *Thursday December the 1<sup>st</sup> 1720*

**A** BILL for dividing S<sup>t</sup> *Johns* Parish in the County of *King William* was read the first time.

*Resolved*

That the Bill be read a Second time—

*Ordered*

That the Clerk of this House have leave to argue the matter of the Election for the County of *Westmorland* before the Committee of Elections and Priviledges as Council for M<sup>r</sup>. *Lee* the Sitting Member—

*Ordered*

That the Governours Message of the 24<sup>th</sup> of *November* be considered tomorrow in a Committee of the whole House.—

Adjourned til Eleven a Clock tomorrow Morning

### *Friday December the 2<sup>d</sup> 1720*

**A** BILL for amending the Breed of Horfes was read the Second time

*Resolved*

That the Bill be committed to M<sup>r</sup>. *Symmons* and M<sup>r</sup>. *Bridger*

M<sup>r</sup>. *Corbin* reports from the Committee of Elections and Priviledges That they had had under their consideration the matter of M<sup>r</sup>. *Speakers* Complaint against M<sup>r</sup>. *Philip Lightfoot* and had come to a Resolution thereupon which he read in his place and afterwards delivered the Same in at the Table where it was again read and is as follows.—

*Resolved*

That It is the Unanimous Opinion of this Committee That *Philip Lightfoot* Gent. is guilty of Breach of the Priviledges of this House by Insulting their Speaker at the door of the House of Burgeffes in a haughty manner—uttering indecent and reproachfull Language to to him and this without any Previous discourse with him which is Submitted to the consideration of the House.

The Question was put

That the report of the Committee be agreed to

The House Divided

Yeas.....41

Noes..... 7

*Resolved*

*Resolved*

That *Philip Lightfoot* Gent. is guilty of Breach of the Priviledges of this Houfe by infulting their Speaker at the door of the houfe of Burgeffes in a haughty manner uttering indecent and reproachfull Language to him And this without any previous Difcourfe with him.—

*Resolved*

That the Said *Philip Lightfoot* Gent: for his Said Offence doth Juftly deserve the Censure of this Houfe—

And he was called into the Bar and M<sup>r</sup>. *Speaker* acquainted him with the refolutions of the Houfe and That they Expected he fhould make an acknowledgment of his Offence in Such words as were drawn up in writing by their Direction and Should be delivered him.—

And the fame was delivered and he read as follows.—

M<sup>r</sup>. *Speaker*

I am Senfible of my great Indifcretion in the affront I offered to you the 22<sup>d</sup> of *November* laft at the Door of this Houfe by uttering in a haughty manner indecent and reproachfull Language to you—I am heartily Sorry that I have committed this Offence and do fincerely beg pardon of every Member of this Houfe and of you M<sup>r</sup>. *Speaker* in particular

*Ordered That*

M<sup>r</sup>. *Philip Lightfoot* be difcharged out of Cuftody of the Meffenger paying his fees.—

M<sup>r</sup>. *Corbin* further reports from the Committee of Elections and Priviledges That they had had under their confideration the Return of the Writ of the Election of a Burgefs to Serve in this prefent General Affembly for the County of *Elizabeth City* and had come to a Refolution thereupon which he read in his place and afterwards delivered the Same in at the Table where it was again read and agreed to and is as follows.—

*Resolved*

That M<sup>r</sup>. *Anthony Armftead* is duly returned a Burgefs to Serve in this prefent General Affembly for the faid County of *Elizabeth City*.—

A Bill for dividing S<sup>t</sup>. *Johns* parifh in the County of *King Will<sup>m</sup>* was read the Second time.—

*Resolved*

That the Bill be committed to M<sup>r</sup>. *Waller* and M<sup>r</sup>. *Johnfon*—

A Meffage from the Council That they have paff the Bill Entituled *an Ad for dividing the Parifh of Henrico in the County of Henrico* with amendments to which they defire the Concurrence of this Houfe The Amendment made at the end of the Bill in thefe words (towards building the Two Churches) was read and agreed to—

The Claufe propofed to be added at the end of the Bill was read and difagreed to.—

*Ordered That*

M<sup>r</sup>. *W<sup>m</sup> Randolph* and M<sup>r</sup>. *Thomas Randolph* do acquaint the Council That this Houfe hath agreed to the Amendment by them made at the End of the Said Bill in thefe words (towards Building the Said Two Churches) and difagreed to the Claufe by them propofed to be added to the Said Bill And that this Houfe defire their Concurrence to the Same without the Said Claufe.—

A Bill for altering the Day for *Northampton* County Court was read the Second time and an Amendment was made therein

*Resolved*

That the Bill with the amendment be Ingroffed

A Bill inlarging *Charles City* County and for confolidating thofe parts of the Parifhes of *Westopher* and *Weynoak* on the North fide *James River* and that part of *Wallingford* Parifh on the Weft Side *Chicohominy River* was read the third time.—

*Resolved*

That the Bill do pafs—

*Ordered*

*Ordered*

That M<sup>r</sup> *Stith* and M<sup>r</sup> *Harwood* do carry the Bill to the Council and desire their Concurrence thereto.—

Then the House resolved into a Committee of the whole House to consider of the Governours written Message of the 24<sup>th</sup> of *November*

M<sup>r</sup> *Speaker* left the Chair

M<sup>r</sup> *Clayton* took the Chair of the Committee—

M<sup>r</sup> *Speaker* resumed the Chair.—

M<sup>r</sup> *Clayton* reports from the Said Committee That they had had under their consideration part of the Said Message and had agreed upon a Vote which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to and is as follows.—

*Resolved*

That a Lighthouse at Cape *Henry* will be usefull and of great advantage to all Ships that shall come within the Capes of *Virginia*—

*Resolved*

That this House will again resolve it Self into a Committee of the whole House to morrow further to consider the said message

*Ordered*

That the Governours message of the 29<sup>th</sup> of *November* be considered tomorrow—

Adjourned til Eleven a Clock to morrow Morning

*Saturday November [December] the 3<sup>d</sup> 1720*

**M**<sup>R</sup> *Clayton* reports from the Committee of Propositions and Grievances That They had had under their Consideration the Petition from *Stafford* County to them referd and had agreed upon a Report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and is as follows.—

On consideration of the Petition from *Stafford* County complaining of Grants of large Tracts of Land in the Said County the Bounds whereof cannot be known by reason the Grantees have not Surveyed the Same, and are unwilling so to do in Expectation other persons will Ignorantly enter on and save the Said Lands and praying Relief therein.—

The Committee being informed That the Tract called *Brent Town*, the Tract now belonging to M<sup>r</sup> *Henry Fitzhugh* and *Henry Fitzhugh* the Younger and the Tract belonging to *Edward Jefferys Esq<sup>r</sup>* are the Said Tracts mentioned in the Said Petition—

*Resolved*

That the Several Proprietors of the Said Tracts shall Survey or cause to be Surveyed the Said Several Tracts of Land within three yeares next coming or on failure thereof That any other person shall be at Liberty to Enter for and hold the Same

The said report was read a Second time—

*Resolved*

That this House doth agree with the Committee and That a Bill be prepared accordingly.—

*Ordered*

That the Committee of Propositions and Grievances prepare and bring in the Said Bill.—

A Bill for the better Discovery and Securing his Majesties Quit Rents was read the first time—

*Resolved.*

That the Bill be read a Second time—

A Bill for Erecting the Counties of *Spotsylvania* and *Brunswick*. and granting certain Exemptions and benefits to the Inhabitants thereof was read the first time—

*Resolved*

That the Bill be read a Second time—

A Bill for appointing a ferry over *James River* to *Hogg Island* and building a Bridge over the Creek which Seperates the said Island from the Main was read the first time—

*Resolved*

That the Bill be read a Second time—

M<sup>r</sup>. *Waller* reports That the persons to whom the Bill for dividing S<sup>t</sup> *Johns Parish* in the County of *King William* was committed had made Several Amendments to the Bill. which he read in his place and afterwards delivered the Same in at the Table where the Same was Twice read and agreed to—

*Resolved*

That the Bill with the Amendments be Ingrossed—

A Bill intituled *an Act for altering the Day of Northampton County Court* was read the Third time—

*Resolved*

That the Bill do pass—

*Ordered*

That M<sup>r</sup>. *Harmanfon* carry the Bill to the Council and desire their Concurrence thereto—

*Resolved*

That this House will on *Monday* next Resolve into a Committee of the whole House farther to confider the Governours written Message of the Twenty fourth of *November*

*Ordered.*

That the Governo<sup>r</sup>s written Message of the 29<sup>th</sup> of *November* be considered on *Monday* next.

Adjourned til Eleven a Clock *Monday* morning.

### *Monday December the 5<sup>th</sup> 1720.*

**A** BILL for Erecting the Counties of *Spotsylvania* and *Brunswick* and granting certain Exemptions and Benefits to the Inhabitants thereof was read the Second time—

*Resolved*

That the Bill be committed to the Committee of Propositions and Grievances

A Bill for the better discovery and Securing his Majesties Quit Rents was read the Second time.—

*Resolved*

That the Bill be Ingrossed.—

A Bill for appointing a ferry over *James River* to *Hogg Island* and building a Bridge over the Creek which Seperates the Said Island from the Main was read the Second time.—

*Resolved* upon the Question

That the Bill be committed to the Committee of Propositions and Grievances.—

A Bill intituled *an Act for dividing S<sup>t</sup> Johns Parish in the County of King William* was read the Third time—

*Resolved.*

That the Bill do pass.

*Ordered*

That M<sup>r</sup>. *Waller* and M<sup>r</sup>. *Johnfon* do carry the Bill to the Council and desire their Concurrence thereto—

A Bill for the Building a Church in the Parish of *Accomack* was read the first time.

*Resolved*

*Resolved*

That the Bill be read a Second time.

A Petition of *Hugh Jones* praying the Sum of Thirty pounds may be allowed to be laid out in Prayer books a Surplice and Cushions for the use of the House of Burgeffes when they go to Prayers was read—

*Ordered*

That the same do lye on the Table.—

Then the House Resolved into a Committee of the whole House further to consider the Governors written Message of the 24<sup>th</sup> of *November*.

M<sup>r</sup> *Speaker* left the Chair

M<sup>r</sup> *Clayton* took the chair of the Committee

M<sup>r</sup> *Speaker* resumed the Chair

M<sup>r</sup> *Clayton* reports from the Said Committee That they had had under their further consideration the Governours written Message of the 24<sup>th</sup> of *November* and had agreed upon a Vote which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to as follows.—

*Resolved*

That a Lighthouse be built and maintained at Cape *Henry* at the Charge of the Colony of *Virginia* Provided the Province of *Maryland* will contribute One hundred and fifty pounds Sterl. towards Building. and Eighty Pounds Sterling per annum for maintaining the Same forever.—

*Ordered*

That a message be prepared to the Governor to acquaint him with the Resolves of this House made upon the consideration of his Message of the 24<sup>th</sup> of *November* And it is refer'd to the Committee of Propositions and Grievances.—

Then the House proceeded to the consideration of the Govern<sup>r</sup>s written Message of the 29<sup>th</sup> of *November* and the Same was read.—

*Ordered*

That M<sup>r</sup> *Corbin*, M<sup>r</sup> *Blair*, and M<sup>r</sup> *Stith* do inspect the Governours House and other Buildings which the Governour is Impowered by Law to finish And that M<sup>r</sup> *Henry Cary* be desired to attend them and to Compute the Charge of what is further necessary to be done therein And that the Said Committee report the same to the House—

*Ordered.*

That the Said Message be further considered on *Wednesday* next—

Adjourned til Eleven a Clock to morrow Morning.

*Tuesday December the 6<sup>th</sup> 1720*

**O**RDRED

That M<sup>r</sup> *Walk* have Leave to go into the Country for a week from *Saturday* next.—

A Claim of *John Randolph* Clerk of the House for divers Copies of Orders Resolves, messages Addresses and Bills delivered M<sup>r</sup> *Merewether* by order of the last Session of the last assembly was with the Leave of the House received.

*Ordered.*

That the Same be refered to the Committee of Claimes to Examine the matter and report their Opinions therein to the House—

M<sup>r</sup> *Clayton* reports from the Committee of Propositions and Grievances to whom the Bill for Electing the Countys of *Spotsylvania* and *Brunswick* and granting certain Exemptions and benefits to the Inhabitants thereof. And the Bill for appointing a ferry over *James River* to *Hog Island* and building a Bridge over the Creek which Separates the said Island from the Main were committed—Several amendments made to the Bills which he read in his place and afterwards delivered the Same in at the Table where the Same were again twice read and Severally agreed to.—

*Resolved*



*Resolved*

That the Bill with the Amendments be Ingrossed—

A Bill for the Building a Church in the Parish of *Accomack* was read the Second time and an Amendment was made therein—

*Resolved*

That the Bill with the amendment be Ingrossed.

A Message from the Council That they do not insist on the Clause by them proposed to be added at the End of the Bill intituled *an Act for dividing the Parish of Henrico in the County of Henrico*, and have passed the said Bill with the Amendment agreed to by this House

And that they have passed the Bill intituled *an Act for Explaining and amending an Act entitled an Act for appointing Rolling houses and publick Landings and ascertaining the prices of Storage*

A Bill further declaring what shall be account'd a Sufficient Seating Planting Cultivating and Improving Lands was read the first time—

*Resolved.*

That the Bill be read a Second time—

M<sup>r</sup> *Corbin* reports from the Committee of Elections and priviledges That the Committee had agreed upon a report touching the Election of M<sup>r</sup> *Thomas Lee* to Serve in this present General Assembly for the County of *Westmorland* which he read in his place and afterwards delivered the Same in at the Table where the Same was again read.

After a Debate the Question was put.

That the said report be refered to the consideration of a Committee of the whole House—

*Resolved*

In the Affirmative

Then the Question was put

That the House do now resolve it Self into a Committee of the whole House to consider the Said report.—

*Resolved*

In the Affirmative

And the House accordingly Resolved it Self into a Committee of the whole House and M<sup>r</sup> *Speaker* left the Chair

M<sup>r</sup> *Grymes* took the Chair of the Committee

M<sup>r</sup> *Speaker* resumed the Chair

M<sup>r</sup> *Grymes* reports from the Said Committee That they had had under their consideration the report of the Committee of Elections and Priviledges touching the Election of M<sup>r</sup> *Thomas Lee* to Serve in this present General Assembly for the County of *Westmorland* and had made Some progress therein but not having time to go thro' the Same, had directed him to move for leave to Sit again.

*Resolved*

That this House will tomorrow Resolve it Self into a Committee of the whole House, further to consider the Said report.—

Adjourned til to morrow Eleven a Clock in the Morning.—

*Wednesday December the 7<sup>th</sup> 1720*

M<sup>r</sup> *Simmons* reports That the persons to whom the Bill for Amending the Breed of Horses was committed had made Several amendments thereto which he read in his place and afterwards delivered the Same at the Table where the Same was again twice read—

*Resolved*

That the Bill be rejected—

M<sup>r</sup>.

M<sup>r</sup>. Clayton reports That the persons appointed had according to Order prepared a Message to the Governour which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to with an Amendment and it is as follows.—

To the Hon<sup>ble</sup> Alexander Spotswood his Majesties Liev<sup>t</sup>. Govern<sup>r</sup>. and Commander in Chief of Virginia

By the House of Burgeses

May it please your Hon<sup>r</sup>.

We having considered your Message and the Petition therewith Sent to this House on the Twenty fourth of the last Month relating to the building a Lighthouse on Cape Henry Return your Honour our Thanks for communicating to us the application that hath been made by some considerable persons in the Government of *Maryland* To the End the assembly of both Colonys might be moved to Concur in the like design.—

And as We believe the building Such Lighthouse will be very beneficial to the Trade of both Colonys have resolved. That a Lighthouse be built and maintained at Cape Henry at the Charge of the Colony of *Virginia* Provided the Province of *Maryland* will contribute One hundred and fifty pounds Sterling towards building and Eighty pounds Sterling per annum for maintaining the Same forever And humbly desire the favour of your Honour to Communicate our resolutions on this head to the Governour of that Province and hope Such measures may be taken as will induce the Assembly of that Province to Concur in So beneficial a work.

Ordered

That the Said Message be fairly transcribed and Signed by the Speaker and that the Committee of Propositions and Grievances do Carry the Same to the Governour.

A Bill further declaring what shall be accounted a Sufficient Seating, planting, Cultivating and Improving Lands was read the Second time—

Resolved

That the Bill be committed to the Committee of Propositions and Grievances.

A Bill intituled *an Act for the better Discovery and Securing his Majesties Quit Rents* was read the Third time.—

Resolved

That the Bill do pass

Ordered

That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

Ordered

That the Governours written Message of the 29<sup>th</sup> of *November* be further considered to morrow.

Then the House resolved it Self into a Committee of the whole House further to consider the report of the Committee of Elections touchning the *Westmorland* Election.—

M<sup>r</sup>. Speaker left the Chair

M<sup>r</sup>. Grymes took the Chair of the Committee

M<sup>r</sup>. Speaker resumed the Chair—

M<sup>r</sup>. Grymes reports from the Said Committee That they had had under their consideration the report of the Committee of Elections and privileges touching the *Westmorland* Elections and not having time to go thro' the Same had directed him to move for Leave to Sit again.—

Resolved

That the House will again resolve it Self into a Committee of the whole House to morrow further to consider the Said report

Adjourned til Eleven a Clock to morrow morning.—

*Thursday*

*Thursday December the 8<sup>th</sup> 1720.*

**A** BILL intituled *an Act for the building a Church in the Parish of Accomack* was read the Third time.—  
*Resolved*

That the Bill do pass.—

A Bill intituled *an Act for appointing a fferry over James River to Hogg Island and building a Bridge over the Creek which Seperates the Said Island from the main*—was read  
*Resolved*

That the Bill do pass

A Bill intituled *an an Act for Erecting the Countys of Spotsylvania and Brunswick and granting certain Exemptions and benefits to the Inhabitants thereof* was read the third time—

*Resolved*

That the Bill do pass

*Ordered*

That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

M<sup>r</sup>. *Corbin* reports That the persons appointed had according to Order Inspected the Governours House and other Buildings and that M<sup>r</sup>. *Henry Cary* attended them and had computed the Charge of what is further necessary to be done therein which amounts to fifty Two pounds Eleven Shillings and Six pence and delivered an Estimate thereof in at the Table.—

*Ordered*

That the Same do ly on the Table.—

M<sup>r</sup>. *Clayton* reports from the Committee to whom the Bill further declaring what shall be accounted a Sufficient Seating planting Cultivating and Improving lands, an Amendment made to the Bill which he read in his place and afterwards delivered the Same in at the Table where the Same was again twice read—and agreed to and a further Amendment was made at the Table.

*Resolved.*

That the Bill with the Amendments be Ingrossed.

A Petition of *Thomas Jefferson* setting forth his great Loss sustained by fire and praying Relief therein was read.—

*Resolved*

That the same be refer'd to the Committee of Claims to Examine the matter and report their Opinions therein to the House.—

M<sup>r</sup>. *Clayton* reports That the persons appointed had according to order waited on the Governour with the written Message of this House And that he answered he would comply with the request of this House and Communicate their Resolves to the Governo<sup>r</sup>. of *Maryland*.—

Then the House proceeded to the consideration of the Governours Message of the 29<sup>th</sup> of *November* and the Same was read.—

*Resolved*

That a Bill be prepared to Impower M<sup>r</sup>. *Henry Cary* to finish the Governours House and other works according to the Estimate thereof and to take Such measures for draining the Water that falls from the Eaves as shall be proper and for repealing that Clause of the Law which Impowers the Governour to finish the Said House and works.—

*Ordered*

That the Committee of Propositions and Grievances prepare and bring in the Said Bill.—

The House according to order resolved it Self into a Committee of the whole House further

further to confider the report of the Committee of Elections and Priviledges touching the *Westmorland* Election.—

M<sup>r</sup>. *Speaker* left the Chair

M<sup>r</sup>. *Grymes* took the Chair of the Committee

M<sup>r</sup>. *Speaker* refumed the Chair.—

M<sup>r</sup>. *Grymes* reports from the faid Committee That they had had under their confideration the report of the Committee of Elections and Priviledges touching the *Westmorland* Election and were come to Several refolutions which he read in his place and afterwards delivered the Same in at the Table where the Same were again twice read and agreed to with an Amendment—as follows.—

*Refolved*

That it is the Right of the Houfe of Burgeffes to Enquire into the freehold of the Electors upon a Complaint of an undue Election

*Refolved*

That the Houfe of Burgeffes may take into their confideration the Several Depofitions taken before *Thomas Newton* and *George Turberville* Gentlm: Juftices of the Peace for the County of *Westmorland* touching the Election of M<sup>r</sup>. *Thomas Lee* to ferve in this prefent General affembly for the faid County.—

*Refolved*

That *Joseph Sandford* an Infant under age who voted for M<sup>r</sup>. *Lee* the Sitting Member had no right to give any Vote.

*Refolved*

That *John Jarvis James Creed*, *Martin Gollerthon* and *William Wyat* who hold no Lands in the County of *Westmorland* but by Leafe for their own Lives and the Life and Lives of other perfons Dated in the yeares 1711, 1713, 1716, and *April* 1719 which are not recorded and voted for the Sitting Member had no right to give any Vote.—

*Refolved*

That *David Rofier* who voted for the Sitting Member had no Right to give any Vote.—

*Refolved*

That *Rowland Hendrick* who voted for the Sitting Member had no Right to give any Vote—

*Refolved*

That *Evan Price* who voted for the Sitting Member be not ftruck off the Poll.—

*Refolved*

That W<sup>m</sup>. *Rice* who voted for the Sitting Member be not Struck off the Poll.

*Refolved*

That *William Chandler* who voted for M<sup>r</sup>. *Mackcarty* be not Struck off the Poll.

*Refolved*

That *John Mews* and *Stephen Baily* who hold no Lands in *Westmorland* County but by Leafes for Lives not recorded and voted for M<sup>r</sup>. *Mac Carty* had no Right to give any Vote.—

*Refolved*

That *Robert Crookshanks* who Stands on M<sup>r</sup>. *M<sup>c</sup>Carty's* pole be not Struck off.—

*Refolved*

That *John Rice* who is a freeholder in *Westmorland* County and Voted for the Sitting Member but was not entered on the poll be added to the Said Poll.—

*Refolved*

That *John Crump* and *William Morton* who voted for M<sup>r</sup>. *M<sup>c</sup>Carty* be not Struck off the Poll.

*Refolved*

That M<sup>r</sup>. *M<sup>c</sup>Carty* has more Legal Votes than M<sup>r</sup>. *Lee* the Sitting Member.—

*Refolved*

That M<sup>r</sup>. *Daniel M<sup>c</sup>Carty* is duely Elected a Burgefs to Serve in this prefent General Affembly for the County of *Westmorland*

*Refolved*

*Resolved*

That the Sherif of the Said County hath made a false Return of the Said M<sup>r</sup>. *Thomas Lee*.—

*Resolved*

That the Sherif of *Westmorland* County be sent for in Custody of the Messenger to rafe out of his Return the Name of M<sup>r</sup>. *Thomas Lee* and instead thereof Insert the name of M<sup>r</sup>. *Daniel M<sup>c</sup>Carty*

*Ordered*

That M<sup>r</sup>. *Speaker* do accordingly Issue his warrant to the Messenger attending this House—

*Ordered*

That M<sup>r</sup>. *Anthony Armistead* have Leave to be absent til *Monday* next—

*Ordered*

That M<sup>r</sup>. *Braxton* have Leave to be absent from *Saturday* til *Tuesday* next.—

*Ordered*

That M<sup>r</sup>. *Corbin* have Leave to be absent on *Monday* next

Adjourned til Eleven a Clock tomorrow Morning.—

*Friday December the 9<sup>th</sup> 1720*

**A** BILL for Supply of certain defects found in an Act prescribing the method for appointing Sherifs was read the first time.—

*Resolved.*

That the Bill be read a Second time—

*Ordered.*

That M<sup>r</sup>. *Lear* have leave to be absent til *Tuesday*.

A Bill intituled *an Act further declaring what shall be accounted a Sufficient Seating planting Cultivating and Improving Lands.* was read the Third time—

*Resolved*

That the Bill do pass.—

*Ordered*

That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto.—

M<sup>r</sup>. *Bridger* reports from the Committee of Claimes That the Said Committee having according to order Inspected the Book of Claim<sup>s</sup>. of the last Session of the last assembly Do find That the Same did pass the House of Burgeffes and the Council and was assented to by the Governour with Some Exceptions, and that the Tobacco Claimes in the Same contained and allowed were not proportioned or paid to any of the Creditors. But that all the money allowances which were made in the House Except One Article of Three hundred pounds appear to have been paid by the Governours Warrants drawn on the Treasurer payable to the respective persons to whom the Same were due—and that the Said Committee had fairly transcribed the Said book and directed him to report the Same to the House—

And further reports That the Said Committee had likewise considered the Several Claimes to them refer'd this Session and had made Several allowances thereupon which they had entred in a Book and directed him to report—

And he delivered the Said Two books in at the Table.—

*Ordered*

That the Same do lye on the Table.—

M<sup>r</sup>. *Bridger* further reports from the Said Committee That they had according to Order considered what fees should be allowed the Officers of the House of Burgeffes for the Extraordinary Services by them performed and had agreed upon a report which he delivered in at the Table where the Same was read.—

*Ordered*

*Ordered*

That the Said report lye on the Table

The Petition of *Christopher Jackson* praying the Direction of this House in the laying out the Land fet a part for a Port at *Archers Hope* Creek. was read.—

*Resolved*

That the Said *Christopher Jackson* be Impowered to lay out the Lots at *Archers hope* Creek and that he be Allowed Ten pounds. for his Trouble therein out of the Money in the hands of M<sup>r</sup> *Holloway* and M<sup>r</sup> *Clayton* arising by the Sale of Lots and that he have Liberty to cut and carry away for his own use all the Trees and Underwood growing thereon—

Adjourned til Eleven a Clock tomorrow Morning.

## *Saturday December the 10<sup>th</sup> 1720*

**A** MESSAGE from the Council That they have passed the Bill Intituled *an Act for Enlarging Charles City County and for Consolidating those parts of the Parishes of Westopher and Weynoak on the North Side James River and that part of Wallingford Parish on the West Side Chicohominy River.*—

And they have passed the Bill Intituled *an Act for dividing St. Johns Parish in the County of King William.*—

And the Bill Intituled *an Act to divide those parts of the parishes of Westopher and Weynoak which lye on the South Side of James River from those parts of the Said Parishes which lye on the North Side the Said River and for Uniting Westopher and Weynoak parishes on the South Side James River to Martin Brandon Parish in the County of Prince George and for Erecting a Chappel in Bristol parish in the Said County with Some Amendments to which they desire the Concurrence of this House.*—

And the Said Amendments were Severally read and agreed to.—

*Ordered*

That a message be sent to the Council to acquaint them That this House have agreed to the amendments by them proposed to the Said Bills and that M<sup>r</sup> *Waller* M<sup>r</sup> *Johnjon* and M<sup>r</sup> *Hamlin* do go up with the Message.

A Bill for Supply of certain defects found in an Act prescribing the method for appointing Sherifs was read the Second time—

The Question was put

That the Bill be Ingrossed

*Resolved* In the Affirmative

A Bill to Impower *Henry Cary* Gent to finish the House of the Governo<sup>r</sup> of the Colony and Dominion of *Virginia* was read the first time—

*Resolved*

That the Bill be read a Second time.—

M<sup>r</sup> *Clayton* reports That the Committee appointed to Joyn with a Committee of the Council to prepare an addrefs to his Majestie had accordingly prepared the Said Addrefs. which he delivered in at the Table and the Same was read and agreed to—

*Ordered.*

That the persons who prepared the Said Addrefs do carry the Same to the Council and desire their Concurrence thereto—

*Resolved*

That a Committee be appointed to joyn with a Committee of the Council in preparing an Addrefs to the Governour upon the Subject matter of the Resolves of this House relating to the Security and defence of the Harbours in this Colony and it is referd to M<sup>r</sup> *Clayton* M<sup>r</sup> *Grymes* M<sup>r</sup> *W<sup>m</sup> Randolph* and M<sup>r</sup> *Burwell.*—

*Ordered*

That the Said Committee do desire the Council to appoint Two of their Members to Joyn with them in preparing the Said Addrefs.—

M<sup>r</sup> *Grymes* reports That the persons appointed had according to order Inspected and Examined the Accounts of the Governours house and Gardens, the Church Magazine, and prison and that they find due to the Governour on Ballance the Sum of four hundred Sixty nine pounds Two Shillings and nine pence half penny.

And M<sup>r</sup> *Grymes* further reports That they had Inspected and Examined M<sup>r</sup> *Claytons* Accounts of Money received for Lots in the City of *Williamsburgh* and Disbursements in repairing the Capitol and that they find due from him on Ballance the Sum of Ninety One pounds four shillings and nine pence

And the Said Accounts were Severally read.

*Resolved.*

That the Same do pass—

*Resolved*

That the Treasurer of the Duties on Liquors and Slaves be Impowered to pay the Sum of four hundred Sixty nine pounds Two Shillings and Nine pence half penny out of the Money in his hands to the Honorable Governour *Spotfwood*.—

*Ordered*

That M<sup>r</sup> *Grymes* do carry the said Refolve to the Council and desire their Concurrence thereto—

Adjourned til Eleven a Clock on *Monday* Morning.

### *Monday December the 12<sup>th</sup> 1720*

**O***RDERED*

That M<sup>r</sup> *Beverley* have leave to go home for recovery of his health.

A Bill to Impower *Henry Cary* Gent to finish the House of the Govern<sup>r</sup> of the Colony and Dominion of *Virginia* was read the Second time

*Resolved*

That the Bill be Ingrossed

A Bill intituled *an Act for Supply of certain defects found in an Act prescribing the method for appointing Sheriffs* was read the third time—

*Resolved*

That the Bill do pass.—

*Ordered*

That the Committee of Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

*Ordered*

That the Estimate of the Charge of finishing the Governours House be Entred on the Journal which is as follows.—

450 yards painting on the Roof of the House at 12 <sup>d</sup> .....	£22 .. 10.. 0
4 yards Ditto on the Side board Shutter.....	.. 4 .. 0
White Washing the passage and private Staires and mending the plastering in the Billiard room.....	1 .. 5.. 0
Paving One Vault with Brick.....	2 .. 0.. 0
Turning 4 Arches over the Vault doores.....	6 .. 0.. 0
finishing a Partition in the Cellar.....	0 .. 7.. 6
Altering the Balcony doores to hang on the Outside.....	0 .. 15.. 0
Covering the flatt roof with Pitch, Sand, and Lime and laying a floor of Plank over the Same.....	12 .. 0.. 0
finishing the Bannio <sup>r</sup> .....	1 .. 10.. 0
Changing Ladders to Secure against fire.....	6 .. 00.. 0

£52 .. 11.. 6

The

The Question was put—

That the book of Claimes of this Seffion be now confidered.—

*Resolved*

In the Affirmative

And the Houfe accordingly proceeded to confider the Same. And part thereof was read

*Ordered*

That the Same be further confidered tomorrow

Adjourned til Eleven a Clock to morrow Morning.—

*Tuesday December the 13<sup>th</sup> 1720.*

**A** BILL intituled *an Act to Impower Henry Cary Gent to finish the Houfe of the Governour of the Colony and Dominion of Virginia* was read the third time.—

*Resolved*

That the Bill do pafs.—

*Ordered*

That the Committee of Propofitions and Grievances do carry the Bill to the Council and defire their Concurrence thereto—

Then the Houfe proceeded to the further confideration of the Book of Claimes and the Same was read thro' and agreed to with Several Amendments.

A Meflage from the Council that they have paffed the Bill Intituled *an Act for altering the day for Northampton County Court*, and that they have agreed to the Addrefs to his Majefty and to the Refolve for paying the Sum of four hundred Sixty nine pounds nine fhillings Two pence to the Honorable Governo<sup>r</sup>. *Spotfwood*.

*And the Said Addrefs is in thefe words.*

*To the King's moft Excell<sup>t</sup> Majefty The humble Addrefs of the Council and Burgefs<sup>s</sup> of Virginia—*

*May it Pleafe Your Majefty*

We your Majefties moft dutiful and Loyal Subjects the Council and Burgeffes of this your moft antient Colony being now met in Affembly and having with great attention deliberated on the Circumftances of our Country and confidered as well how to Extend Your Empire in thofe parts as to Secure our prefent Settlements from the Incursions of the Savage Indians and from the more dangerous Incroachments of the Neighbouring *ffrench* Do with all Submiffion to your Royal Wifdome beg leave to lay before your Majefty the prefent Scituation of this Colony and the means whereby We humbly concieve it may at this time be better secured and Improved.

To the Weftward of *Virginia* about forty miles diftant from fome of our Remotest Settlements there runs a Ridge or continued Chain of Exceeding high Mountains, which Extend all along on the back of this and the next Province of *Carolina* and muft certainly prove an Extraordinary Safeguard to thefe Colonys whenever our Plantations fhall reach So far as to get poffeffion of the few difficult Paffes which according to the beft Difcoveries we have hitherto been able to make appear to be no more than Two thro' that Ridge On the other hand in cafe the *ffrench* who are Carrying on dangerous Projects not very far beyond thefe Mountaines fhould be before hand with your Your Majefties Subjects and poffefs thefe paffes that Nation would then not only Secure their Communication betwixt the Rivers St. *Lawrence* and *Missiffipi* but would be in Condition by keeping the Key of this Barrier, to annoy your Majefties Subjects on his Side whenever they think fit—

This Apprehenfion awakens us to give all Encouragement Suitable to our poor abilities for the Spedy Seating That Tract of Land which lyes untaken up between our prefent Settlements and thofe Two Paffes in the high Mountains ffor that end we have now Erected Two new Countys the One on *Rappahannock* River leading up to the Northern

Pafs



Pafs and the other on *Roanoak* Leading to that on the South. To encourage People to go up and Seat thefe Two Countys— We have Exempted the Inhabitants thereof from Publick Taxes for the Space of Ten yeares We have agreed to build them Churches and Courthoufes and to furnifh them with armes and Amunition at the Publick Charge, but what we humbly prefume would Stil be a greater Inducement to many of your Majesties Subjects to go up and Settle this new ffrontier would be your Royal favour of remitting all the Quit Rents of thefe Two Counties for Ten yeares and Exempting the Takers up of Land from the five Shillings which they are by the Order of this Government obliged to pay for every fifty Acres of Land that they enter for. And this Bounty We are the more Encouraged to Beg becaufe we are fully perfwaded that in a few yeares it will prove a confiderable Augmentation of your Majesties Revenue here.—

And for the more Effectual Security of this Your Majesties Dominion and to Render the propofed Barrier more defensible—We humbly beg your Majefty wil be gracioufly pleaſed to give Directions for Building a ffort at each of the Paffes in the great Mountain's out of your Majesties Revenue of Quit Rents in this Colony And likewife for Sending over two Companys of men in your Majesties pay conſiſting of fifty Men each beſides Officers to Serve as a Garifon for thefe fforts and a conſtant Guard of our Mountaines under the Orders of Your Majesties Governour and Council here—

And that Your Majefty may be more readily induced to Extend your Royal Bounty in the particulars above mentioned our Lievt Governour Colonel *Spotfwood* will be pleaſed to interceed with Your Majeſtie in our favour who has ſpar'd no fatigue or Expence to viſit our Mountaines in perſon and to inform himſelf of the Exceeding Importance of them both for your Majesties Service and for the defence and Security of this Dominion.—

*Ordered*

That the Said Addreſs be fairly tranſcribed and that the perſons who prepared the Same do carry the Same to the Council to be ſigned by them—

*Ordered*

That M<sup>r</sup> *Grymes* and M<sup>r</sup> *Jones* do carry the Said Refolve to the Governour and deſire his Affent thereto—

Adjourned til Eleven a Clock to morrow morning.

*Wednesday December the 14<sup>th</sup> 1720*

**M**R. *Corbin* reports That the Committee appointed to Join with a Com<sup>it</sup>tee of the Council in Preparing an addreſs to the Governour relating to the Treaty with the Northern Indians had accordingly prepared the Said Addreſs which he read in his place and afterwards delivered the Same in at the Table where the ſame was again read—

*Resolved.*

That the Same be committed to the Committee who prepared it and that M<sup>r</sup> *Clayton* be added to the Said Committee.—

M<sup>r</sup> *Grimes* with the Leave of the Houſe delivered in at the Table a writing drawn up in the form of a Refolve—in theſe words.—

*Resolved*

That it is neceſſary to appoint Some proper perſon to Solicite in *Great Britain* the Subject matter of the addreſs of the Council and Burgeſſes to his Majeſty, the Representation to the Admiralty the affair relating to a Treaty with the five Nations of Northern Indians at *Albany* and all Such other matters as may hereafter be agreed on by this General Affembly

Then the Queſtion was put

That the ſaid Refolve be now conſidered.

*Resolved* In the Affirmative—

Then the Queſtion was put

That the Said Refolve be made the Refolve of this Houſe

The

The House divided

Yeas..... 21	} Speaker Yea.
Noes..... 21	

And so it was Resolved. In the Affirmative

*Resolved*

That it is necessary to appoint some proper person to Solicite in *Great Britain* the Subject matter of the Address of the Council and Burgeesses to his Majestie, the Representation to the Admiralty the Affair relating to a Treaty with the five Nations of Northern Indians at *Albany* and all Such other matters as may hereafter be agreed on by this General Assembly.

*Resolved*

That *William Byrd Esq<sup>r</sup>* be the person and that he be desired to take upon him the Negotiation of the Said Affaires.—

*Resolved*

That the Said *William Byrd* be paid out of the Publick Money now in the hands of the Treasurer the Summe of four hundred pounds in consideration of his Expences Trouble and Services.—

*Resolved.*

That the Liev<sup>t</sup> Governour be Impowered and desired to Issue his Warrant for the Said Sum.—

*Ordered*

That the Committee of Propositions and Grievances do carry the Said Resolves to the Governour and Council and desire their Concurrence thereto—

A Message from the Governour was delivered by M<sup>r</sup> *Robertson*—

M<sup>r</sup> *Speaker*

I am commanded by the Governour to acquaint this House that he hath assented to the Resolve for Impowering the Treasurer to pay him four Hundred Sixty nine pounds, Nine Shillings and Two pence half penny.—

A Message from the Council That they have Passed the Bill Intituled *an Act for Erecting the Countys of Spotfylvania and Brunswick and granting certain Exemptions and Benefits to the Inhabitants thereof* with Some Amendments To which they desire the Concurrence of this House.—

That they have signed the Address to his Majestie—

And that they have appointed Two of their Members to Join with a Committee of this House in preparing the Address to the Governour relating to the Security and defence of the Harbours. Severall Allowances made in the House and added to the Book of Claimes were read and agreed to.—

*Ordered*

That the Committee of Claimes do carry the book of Claimes to the Governour and Council and desire their Concurrence thereto

*Ordered*

That the House be called over to morrow at twelve a Clock.—

Adjourned til Eleven a clock to morrow morning.

*Thursday December the 15<sup>th</sup> 1720.*

**M**R. *Corbin* reports from the Committee to whom the Address to the Governour relating to the Treaty with the Northern Indians was committed, Several Amendments made to the Same which he delivered in at the Table where the same was read and agreed to and the Said Address is as follows.—

*To the Hon<sup>ble</sup> Alexander Spotfwood his Majesties Liev<sup>t</sup>. Govern<sup>r</sup>. and Command<sup>r</sup> in Chief of Virginia—*

*The humble Address of the Council and Burgeesses of this Present General Assembly*  
SIR

We the Council and Burgeesses met in Assembly having maturely considered that part of the Letter from the Right Hon<sup>ble</sup> the Board of Trade and Plantations which you were

were pleased to lay before us at the beginning of this Session relating to the Treating at *Albany* with the five Nations of Northern Indians Humbly beg leave to represent to your Honour the deep Concern we are under to find our selves indispensably obliged to give you advice which perhaps may seem contrary to the Impressions made on their Lordships by the Representations from the Government of *New York*.—

The many Instances of your great penetration and your Indefatigable application to the Indian Affairs in the frequent Occurrences which have hapned thro' the whole Course of your Government convince us—That you must know as well as any man the nature and Strength of the Indians and their Situation as well as that of this Country and how ineffectual It must be to treat with those Nations at *Albany*. (where we cannot find any of our Governours Except the Lord *Howard* did ever treat with the Indians) until those Preliminary Articles which you were pleased to lay before us are agreed to by them which contain nothing more than what they acknowledge they are already obliged to by their former Treaty and do not pretend We or our Tributary Indians have ever infringed—

Wherefore Sir We hope you will favourably accept our unanimous Opinion That we cannot in Duty to his Majesty or Justice to this Country advise or Enable you to treat with those five Nations at *Albany* until a Satisfactory Answer is returned from them or the Government of *New York* that those Preliminary Articles which we think so Essentially necessary for the Quiet of this Country (that they cannot be waved) are ratified in the firmest manner.

And we humbly beg That you will be pleased to Represent this our Opinion being the Effect of our Zeal for his Majesties Service to the R<sup>t</sup> Honorable the Lords of Trade and Plantations in the most favourable manner which will Engage us more and more to pray for Your Honours health and Prosperity.—

*Ordered*

That the Said Address be fairly transcribed and That the Committee who prepared it do carry the same to the Council and desire their Concurrence thereto—

M<sup>r</sup> *Grymes* reports that the persons appointed had according to Order Inspected and Examined the Treasurers Accounts and find the Balance due to the Country (Exclusive of the Interest arising from the Ten Thousand pounds lent out by Act of Assembly) Seventeen Thousand Two hundred Sixty pounds fourteen shillings Eleven pence three farthings—

*Ordered*

That the Treasurer do make Oath to the Said Accounts before the Governour.—

A petition of the Vestry of *Bruton* Parish Setting forth a dispute between the Governour of this Colony in behalf of his Majesty and the f<sup>d</sup> Vestry touching the Right of Patronage in the Said Parish and that the Same must necessarily be determined by Law. and much affect the whole Country and praying that the Charge of Such proceeding at Law may be defrayed out of the Publick money was read.—

*Resolved*

That the necessary Charge of Such proceeding in behalf of the said Parish be defrayed out of the publick money.

*Resolved*

That the Treasurer be Impowered to pay the Sum of Sixty pounds out of the money in his hands to the Reverend *James Blair* Minister *Henry Cary* and *Robert Cobbs* Churchwardens of the said parish towards defraying the Charge of the Said Suit and that the Said *James Blair Henry Cary* and *Robert Cobbs* or the Survivor of them do account for the Same to the General Assembly upon Oath when thereunto required.—

*Ordered*

That the Committee of Propositions and Grievances carry the Same to the Governour and Council and desire their Concurrence thereto—

M<sup>r</sup> *Corbin* reports from the Committee of Elections and Priviledges That they had had under their consideration the Petition of Sundry Inhabitants of *Effex* County complaining

plaining of hardships Imposed on them by the Militia Court lately held in that County and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where it was again read.—

*Ordered*

That the said report do ly on the Table.—

The House proceeded to take into their consideration the Report of the Committee of Claimes for Settling the fees of the Officers of the House of Burgeffes for their Extraordinary Service and the Same was read and agreed to with Some Amendments as follows

To M<sup>r</sup>. *Speaker* for every private Bill by which are not intended Bills to divide Countys or parishes, Building of Churches or bridges or the like passed for a matter of the value of One hundred pounds or under the Sum of five pounds and One per Cent for any greater value.

To the Clerk of the House of Burgeffes for his Trouble in passing any private Bill as afore said for a matter of One hundred pounds value and under the Sum of fifty shillings and for any greater value the Sum of five pounds.—

for a Search and Copy of any Record or old Paper Ten shillings.—

for a Copy of any Single Act or Bill if the Same be contain'd in One Sheet of Paper or less five Shillings.—

for every Sheet more Two shillings & Six pence—

for a Copy of every Resolve on the Journal Two Shillings & Six pence

for a Copy of the Journal of One Sessions Two pounds Ten Shillings.—

for every warrant for taking any person into Custody five Shillings.—

for every Warrant for Summoning Evidences five Shillings.—

*Ordered*

That M<sup>r</sup>. *Lawrence Smith* have leave to be absent tomorrow—

The House according to Order was called over—

*Ordered*

That M<sup>r</sup>. *M<sup>c</sup>Carty* be added to the List of the Burgeffes.—

*Ordered*

That M<sup>r</sup>. *M<sup>c</sup>Carty* do attend at the Bar of the House to give his reasons why he does not take his place in the House—

*Ordered*

That M<sup>r</sup>. *Rickets* be sent for in Custody of the Messinger attending this House to attend the Service of the House and that M<sup>r</sup>. *Speaker* do Issue his Warrant accordingly.—

M<sup>r</sup>. *M<sup>c</sup>Carty* was called in and M<sup>r</sup>. *Speaker* acquainted him That he was by a Resolve of this House of the Eighth of this Month declared duly Elected to Serve in this present General Assembly for the County of *Westmorland* and that upon a Call of the House they found him absent and desired to know the reason—

To which M<sup>r</sup>. *M<sup>c</sup>Carty* answered, he was very Sensible of the Resolve of this House, but that he could not presume to take his place til he had taken the Oathes appointed by Law to be taken, For that purpose he had waited on those Gentlemen of the Council who were Impowered to Administer those Oathes and that Three of them had refused to Swear him—And then withdrew. And being again called in was by the Speaker by direction of the House Demanded what reason the Council gave for refusing to Swear him.—

He answered.—

That he could not presume to tell their reasons but by what he could Collect from their Arguments among themselves. The Reason was that his name was not notified to them on the back of the Writ And then withdrew—

*Ordered*

That the Messinger do attend at the Barr and acquaint this House what he has done with the Warrant for taking the Sherif of *Westmorland* into Custody.

Adjourned til Eleven a Clock to morrow Morning.—

*Fryday*

*Fryday December the 16<sup>th</sup> 1720.*

THE Messenger was called in and demanded by the Speaker by Direction of the House what he had done with the Warrant for taking the Sherif of *Westmorland* into Custody And he answered That a Messenger went away with it on *Saturday* last and that it was said he crossed *Rappahanock* on *Tuesday* last.—

A written Message from the Governour and Council was delivered by M<sup>r</sup>. *Robertson*.—

*M<sup>r</sup>. Speaker and Gentlemen of the House of Burgeffes.*

The late Depredations committed on this Coast by the *Spanish* Privateers and the heavy Losses which divers of the Subjects of this Colony had thereby sustained made it necessary for the Government to take Some effectual measures for preventing the like future Hostilities as well as for obtaining Restitution of the Vessels and effects thus unwarrantably taken And Seeing it appeared by Some the Crew of One of those *Spanish* privateers made prisoners on board a Retaken Ship That the Said Several Robberies had been committed by persons Acting under the Commission of the Governour of *S<sup>t</sup>. Augustine*—It was judged Expedient to Send thither a flag of Truce with a Letter to that Governour to Expostulate with him upon the Infraction of the Suspension of Armes which had been so long concluded between the Two Crowns of *Great Britain* and *Spain* and to demand Restitution of Such of the Vessels and Effects as had been taken by his Privateers during the Said Suspension. Cap<sup>t</sup>. *John Martin* who had been a Sufferer by the taking a Sloop wherein he with other Gentlemen of this Colony were concerned. offered to undertake this Service without any other advantage to himself than barely the Common hyre of his Sloop Ranger during the Voyage and of his Master and Two or three other Sailors upon Condition That the Government should Supply him with Armes and Amunition and with Provisions for Such Men as Should be thought necessary to be put on board And that the Government should stand engaged for the value of the said Sloop if she Should happen to be taken or lost in this Service, According to which resolution fifty men with an Officer were obtained from Cap<sup>t</sup>. *Whorwood* Commander of his Majest<sup>y</sup> Ship the *Rye* 8 great Guns Impressed and a Suitable quantity of Shot and all other necessarys requisite for fitting the Said Sloop for the intended Service were taken up on the Publick faith and put on Board with all convenient Dispatch—So that Cap<sup>t</sup>. *Martin* Sailed from hence a few daies after the Privateer went off the Coast. That Your House may be more fully Informed of the Effect of this Dispatch a Transcript of Cap<sup>t</sup>. *Martins* Negotiations at *S<sup>t</sup>. Augustine* is here Sent you from whence we doubt not you will be induced to Enable the Government to make good its Engagement as well in repairing the Loss of the Sloop Sent on this Service which you will perceive by Cap<sup>t</sup>. *Martins* Journal was unfortunately cast away upon the Bar of *S<sup>t</sup>. Augustine* without a possibility of saving any part of the Guns or Tackle belonging to her as defraying the other Expences of that Armament. But what is more particularly recommended to your consideration is the Gratifying in Some measure the Sailors who went upon this Service and by that unfortunate Disaster lost all their Cloathes and Bedding and other necessarys and were reduced to a Condition of almost Starving for want of provision in their Return home If to this you will add Some distinguishing Bounty to the Widows of those who lost their Lives in the aforementioned Ship wreck. You will thereby give Encouragement to others to enter more Cheerfully into the Publick Service when the Necessity of the Government shall hereafter require the like Expedition And as Cap<sup>t</sup>. *Martins* Circumstances in this Country are known to lay no necessity on him to undertake an Employment of So much danger but purely for the Honour of the Country and the general Advantage of Trade And that his whole Conduct herein has been agreeable to that Principle—We cannot but recommend him more particularly to your Consideration as hoping he is not the less Intituled to a Reward for his Trouble  
and

and Loffes on the Publick Service for his fo generously undertakeing the Same without any previous Conditions for himself.—

By order of the Govern<sup>t</sup> and Council  
*Wil Robertson* Cl. G. Afs.

December the 15<sup>th</sup> 1720

*Ordered*

That the Said meffage be confidered tomorrow.

A Meffage from the Council That they have paffed the Bill Intituled *an Act to Impower Henry Cary Gent to finish the Houfe of the Governour of the Colony and Dominion of Virginia*

The Bill intituled *an Act for the building a Church in the Parifh of Accomack.* And.

The Bill intituled *an Act for Supply of certain defects found in an Act prefcribing the method for appointing Sherifs—*

And that they had paffed the Bill Intituled *an Act for the better Difcovery and Securing his Majesties Quit Rents* with Some Amendments To which they defire the Concurrence of this Houfe.—

The Houfe then took into their confideration the Amendments propofed by the Council to the Bill Intituled *an Act for Erecting the Counties of Spotsylvania and Brunswick and granting certain Exemptions and benefits to the Inhabitants thereof* And all the Said amendments. Except the laft being twice read, were Severally agreed to—

The laft amendment being for Striking out the laft Clause of the Said Bill was twice read.—

And the Queftion being put ffor agreeing with the Council in that Amendment  
 It paffed in the Negative—

*Ordered.*

That a Meffage be fent to the Council to acquaint them That this Houfe have agreed to all the Amendments by them propofed to the Said Bill—Except the laft, to which they have difagreed, and to defire them to pafs the Said Bill without the Said amendment and that the Committee of Propofitions and Grievances do go up with the Meffage.—

The Houfe then took into their confideration the amendments propofed by the Council to the Bill intituled *an Act for the better difcovery and Securing his Majesties Quit Rents.*

And the firft amendment being twice read was agreed to with an Amendment—

The Second & third Amendments being twice read were Severally agreed to—

The fourth amendment being twice read part thereof was agreed to & part difagreed to—

The fifth Sixth and Seventh amendments being twice read were Severally agreed to.—

The Eighth amendment being twice read, and the queftion being put for agreeing with the Council in that amendment.

It paffed in the Negative

The ninth and Tenth Amendments being twice read were Severally agreed to—

*Ordered*

That a meffage be Sent to the Council to acquaint them that this Houfe have agreed to the firft amendment by them propofed to the Said Bill with an amendment, And to the Second, third, part of the fourth, fifth, Sixth Seventh Ninth and Tenth And to the Eighth have difagreed. And That the Committee of Propofitions and Grievances do go up with the meffage.—

Adjourned til Eleven a Clock to morrow morning.—

*Saturday December the 17<sup>th</sup> 1720*

**T**HE Houfe then took into their confideration the written Meffage of the Governour and Council of Yefterday and the Same was read.

*Refolved*

That this Houfe doth not think fit to repair the Lofs of the Sloop Ranger or to defray the other Expences of the Armament mentioned in the Said Meffage.—

*Refolved*

*Resolved*

That the Sum of One hundred pounds be paid to Cap<sup>t</sup>. *John Martin* for his good Services in the Expedition to S<sup>t</sup>. *Augustine*—

*Resolved*

That the Sum of Three hundred pounds be given to be distributed by order of the Governour and Council as they shall think proper among those persons or the Widows of any of them who went on the Expedition to S<sup>t</sup>. *Augustine* under Cap<sup>t</sup>. *Martin*.—

*Resolved*

That the Treasurer be Impowered to pay the Said Sum of four hundred pounds out of the money in his hands and that the Governour be desired to Issue his Warrants accordingly—

*Ordered*

That a Message be prepared to the Governour and Council pursuant to the Said Resolves and to desire their Concurrence thereto and it is refer'd to the Committee of Propositions and Grievances.

A Message from the Council That they do insist on the last amendment made by them to the Bill intituled *an Act for Erecting the Countys of Spotylvania and Brunswick and granting certain Exemptions and benefits to the Inhabitants thereof*.

And that they have passed the Bill intituled *an Act to Explain and amend part of an Act intituled an Act for regulating the Elections of Burgeesses for selling their priviledges and for ascertaining their Allowances* with Some Amendments to which they desire the Concurrence of this House.—

*Resolved*

That the Sum of fifty pounds be paid to the Speaker of this House out of the money in the hands of the Treasurer for his Services. this Session.—

*Resolved*

That the Sum of Twenty pounds be paid to M<sup>r</sup>. *Clayton* Chairman of the Committee of Propositions and Grievances out of the money in the hands of the Treasurer for his Expences and Extraordinary Service this Session.—

*Ordered*

That M<sup>r</sup>. *Willis*, M<sup>r</sup>. *Presly* and M<sup>r</sup>. *James Ball* do carry the Said Resolves to the Governour and Council and desire their Concurrence thereto.—

A Message from the Council That they have agreed to the address to the Governor relating to the Treaty with the five Nations of Northern Indians.

And that they have agreed to the amendment proposed by the House to the first and fourth amendment made by them to the Bill intituled *an Act for the better discovery and Securing his Majesties Quit Rents* and that they do insist on the Eighth by them made to the said Bill disagreed to by this House.—

*Resolved*

That this House do not insist on their Disagreement to the Said Amendment by the Council to the Said Bill—

*Resolved*

That this House do not insist on their Disagreement with the Council in the last amendment by them made to the Bill intituled *an Act for Erecting the Counties of Spotylvania and Brunswick and granting certain Exemptions and benefits to the Inhabitants thereof*—

*Ordered*

That the Committee of Propositions and Grievances do acquaint the Council That this House doth agree with them in the Said Amendments.

The Treasurer having made Oath to his Accounts before the Govern<sup>r</sup>.

*Resolved*

That the same do pass.—

*Ordered*

That M<sup>r</sup>. *Grymes* and M<sup>r</sup>. *Jones* do carry the Said Accounts to the Governour and Council and desire their Assent thereto—

Adjourned til Eleven a Clock on *monday* morning.

*Monday*

*Monday December the 19<sup>th</sup> 1720*

**M**R. Clayton reports from the Committee of Propositions and Grievances That they had according to Order prepared A Message to the Governour and Council pursuant to the Resolves of this House on *Saturday* last in answer to their message of the Sixteenth of this Instant *December* and he read the Said Message in his place and afterwards delivered the Same in at the Table where it was again read and agreed to as follows.

*By the House of Burgeffes.—*

*To the Hon<sup>ble</sup> Alexander Spotswood his Majest<sup>y</sup>. Lieut. Govern<sup>r</sup>. and to the Hon<sup>ble</sup> the Council of Virginia.*

*May it please yo<sup>r</sup>. Honours*

We having deliberately considered the Message Sent by your Honours to this House the 16<sup>th</sup> of this Instant *December* and the Several papers refer'd to therein containing a narrative of the Expedition undertaken by Cap<sup>t</sup>. *John Martin* to St<sup>t</sup>. *Augustine* and his Negotiations thereupon humbly beg leave to acknowledge the Regard Shewn by your Honours to this House in Communicating to us the measures taken in that affair

And since this Expedition was projected and carryed on by yo<sup>r</sup>. Hon<sup>rs</sup> with a View to the General Benefit and advantage of all his Majesties Subjects trading to these parts We hope you cannot Expect us to repair the Loss of the Sloop *Ranger* or to defray the Expence of that Armament

The Zeal Cap<sup>t</sup>. *Martin* has Shewed by Embarquing himself So generously for the Security of our Trade obliges us to think he deserves a Reward We have therefore resolved to give him One hundred pounds as an Acknowledgment of the just Sence we have of his Services on that Occasion.

And for a recompence for the Losses Sustained by Such Officers and Seamen as Served under him in that Expedition as well as for a reward for their good Behaviour—we have resolved That Three hundred pounds be distributed among the Said Men and the Widows of Such of them as were drowned in proportion to their Losses and Deserts and in Such manner as your Honour the Governour and the Hon<sup>ble</sup> the Council shall think fit.

*Ordered*

That the Said Message be fairly transcribed and Signed by the Speaker and that the Committee of Propositions and Grievances do carry the Same to the Governour and Council

*Ordered*

That the persons who prepared the addresses to the Governour relating to the Treaty with the Northern Indians together with the Committee of the Council who Joined with them in preparing the Same do wait on the Governour and desire to know when he will be attended by the Council and this House with the Said Addresses.—

The House then took into consideration the amendment made by the Council to the Bill intituled *an Act to Explain and amend part of an Act Intituled an Act for regulating the Elections of Burgeffes for Setling their privileges and for ascertaining their allowances—*

And the Said Amendments were Severally read and agreed to

*Ordered*

That a Message be Sent to the Council to acquaint them That this House have agreed to the amendments by them proposed to the Said Bill.

The House being informed That M<sup>r</sup>. *Rickets* attended at the Door in Custody.

*Ordered*

That he be Discharged paying fees.

*James Shield* the Messenger attending this House was by Order of the House called in and demanded by the Speaker whether he had taken the Sherif of *Westmorland* into



into Custody And he answered he had heard nothing of the person he Sent with the Warrant and then withdrew—

*Resolved*

That the Said *James Shields* hath failed to do his duty in the Execution of the said Warrant and doth deserve to be Censured for the Same—

And he was called in and acquainted the House That the messenger was just returned That the Sheriff of *Westmorland* was gone from home into *Maryland* and was not Expected back til after the *Christmas* holy daies but that a Copy of the Warrant was left at his house and then withdrew. And being again called in at the Bar received a Reprimand from the Speaker and acknowledging his Offence begged pardon of the House and withdrew—

*Ordered*

That the Clerk of the House of Burgeffes do now at the table Read the name of *Thomas Lee* out of the Return of the writ for Election of Burgeffes to Serve in this present General assembly for the County of *Westmorland* and instead thereof insert the Name of *Daniel M<sup>c</sup> Carty*.—

*Resolved*

That the Sum of forty Shillings be paid to *John Randolph* Clerk of the House of Burgeffes out of the Money in the hands of the Treafurer for each Copy of the Laws of this Session of Assembly to be sent to the respective Counties in this Colony amounting in the whole to fifty four pounds and that the Governo<sup>r</sup> be desired to Issue his Warrant for the said Sum when the Clerk shall make it appear to him that he hath delivered the Several Copies of the Said Lawes.

*Ordered*

That M<sup>r</sup> *Merewether* M<sup>r</sup> *Boush* and M<sup>r</sup> *Waller* do carry the said Resolve to the Governour and Council and desire their Concurrence thereto.—

Adjourned til Eleven a Clock to morrow morning.—

*Tuesday December the 20<sup>th</sup> 1720*

**M**R *M<sup>c</sup>Carty* having produced a Certifycate of his having taken the Oaths appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Supremacy, the abjuration Oath, the Test, and Oath of a Burgefs took his place in the House—

Upon a Motion

*Resolved*

That the Sum of Two hundred pounds be paid to Cap<sup>t</sup> *Martin* for his good Services on the Expedition to S<sup>t</sup> *Augustine* instead of the Sum of One hundred pounds which by the Resolve of this House on *Saturday* last was to be paid for the Said Services—

*Resolved*

That the Sum of Two hundred pounds only be given to be Distributed by order of the Governour and Council among those persons or the Widows of any of them who went under Cap<sup>t</sup> *Martin* instead of the Sum of Three Hundred pounds by the Resolve of this House of *Saturday* last given to be distributed as afore said—

*Ordered*

That the Clerk do accordingly alter the Resolves and message of this House relating to the Expedition to S<sup>t</sup> *Augustine* before the Same be sent to the Governour and Council.—

A Message from the Governour and Council—

That they have assented to the Resolve of this House of the 15<sup>th</sup> of *December* for paying Sixty pounds to *James Blair*, *Henry Cary* and *Robert Cobbs* for defraying the Charge of trying the Right of patronage in the Parish of *Bruton*.

To the Resolves of this House of the 17<sup>th</sup> of *December* for paying to the Speaker fifty pounds and to the Chairman of the Committee of Propositions and Grievances Twenty pounds.—

And

And to the Refolve of this Houfe of the 19<sup>th</sup> of *December* for the paying to the Clerk of this Houfe fifty four pounds for the Copys of the Lawes to be Sent to the refpective Countys in this Colony.—

And that they propofe Several amendments to be made to the Refolve of the 14<sup>th</sup> of *December* touching the Neceffity of appointing Some proper perfon to Solicite in *Great Britain* Several matters therein mentioned before they pafs the Same.—

A Meffage from the Council That they have paffed the Bill intituled *an Act further declaring what fhall be accounted a Sufficient Seating planting Cultivating and Improving Lands* with Some amendments to which they defire the Concurrence of this Houfe—

And the Said Amendments were Severally read and agreed to with an Amendment.—

*Ordered*

That the Committee of Propofitions and Grievances do acquaint the Council That this Houfe have agreed to the Said Amendments with as Amendment.—

Mr. *William Randolph* reports That the perfons appointed together with a Committee of the Council had prepared an Addrefs to the Governour relating to the Security and defence of the Harbours which he read in his place and afterwards delivered the Same in at the Table where it was again read and agreed to with an Amendment.—

*Ordered*

That the Members of this Houfe who prepared the Said Addrefs do carry the Same to the Council and defire their Concurrence thereto—

Then the Houfe upon a Motion was called over.

*Ordered*

That Mr. *Harwood* be fent for in Cuftody to attend the Service of the Houfe and that the Speaker iffue his warrant accordingly.—

Then the Queftion was put

That the Addrefs to his Majefty be Signed by the whole Houfe.

*Refolved*

In the Affirmative—

*Ordered*

That the Same be Signed accordingly.

The Houfe then took into their Confideration the Amendments made by the Governour and Council to the Refolves of the fourteenth. of *December* touching the Soliciting of certain affairs in *Great Britain*—

The amendment propofed by the Council being for Inferting (the Liev<sup>t</sup> Governour Council and Burgeffes of) after the word (by) in the laft line of the firft of the Said Refolves was read and agreed to—

The amendment propofed by the Govern<sup>r</sup> to the Said Refolves being, That the Inftuctions to be given in purfuance of the Said Refolves be figned by the Governour and that the Solicitor enter into Bond to the Governour not to meddle in *Great Britain* with any other affair of this Government than what fhall be contain'd in his faid Inftuctions was read.

*Refolved*

That this Houfe cannot agree to the Said Amendment

*Refolved*

That a Committee be appointed to draw up a meffage to the Governour to acquaint him that this Houfe cannot agree to the Said amendment and It is referd to Mr. *Corbin* Mr. *Blair*, Mr. *Merewether* Mr. *Efcridge* Mr. *Burwell* Mr. *Braxton* and Mr. *Willis*—

*Ordered*

That Mr. *M<sup>c</sup>Carty* be added to the Committee of Propofitions and Grievances

*Ordered*

That Mr. *Boujh* Mr. *Broadnax*, Mr. *Walke*, Mr. *James Ball* Mr. *Teackle* and Mr. *Wilson* do Examine the Inrolled Bills.

A Meffage from the Governour and Council That they have paffed the Book of Claimes and the Treafurers Accounts.

A Message from the Governour and Council That they have agreed to the Resolves of this House for paying to Cap<sup>t</sup> *Martin* the Sum of Two hundred pounds and for distributing the Sum of Two hundred pounds among those persons or the Widowes of any of them who went under him to S<sup>t</sup> *Augustine*

*Ordered*

That a Committee be appointed to proportion the Several Tobacco Claimes allowed in the book of Claimes of the last Session and this Session of Assembly of the following persons.—

M<sup>r</sup> *Will<sup>m</sup> Randolph* M<sup>r</sup> *James Ball*

M<sup>r</sup> *Ejcridge*

M<sup>r</sup> *Tho. Randolph.*

M<sup>r</sup> *Corbin* acquainted the House That Cap<sup>t</sup> *Martin* desired them to accept of his most humble Thanks for the favour they had done him—

Adjourned til Eleven a Clock to morrow morning—

*Wednesday December the 21<sup>st</sup> 1720.*

A MESSAGE from the Council That they have made an amendment in the Address to the Governour relating to the Defence and Security of the Harbours in this Colony.—

And that they cannot agree to the Amendment proposed by this House to the Amendment made by them to the Bill Intituled *an Act further declaring what shall be a Sufficient Seating planting Cultivating and Improving Lands.*

*Resolved*

That the Money allowances in the book of Claimes be paid out of the money in the hands of the Treasurer.

*Resolved*

That the Sum of five shillings out of the money in the Treasurers hands be paid to the Clerk of the House of Burgeesses for the Copy of the proportions of this Session to be Sent to the respective Countys in this Colony amounting in the whole to Six pounds five shillings and that the Governour be desired to Issue his Warrant for the Said Sum.—

*Ordered*

That M<sup>r</sup> *Blair* M<sup>r</sup> *Merewether*, M<sup>r</sup> *Waller* and M<sup>r</sup> *Boush*, do carry the Said Resolves to the Governour and Council and desire their assent and Concurrence thereto.—

M<sup>r</sup> *Corbin* reports That the persons appointed had according to order prepared a message to the Governour to acquaint him That this House cannot agree to the Amendment proposed by him to the Resolve of this House touching the Soliciting certain Affaires in *Great Britain* which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to with Some Amendments as follows.

*By the House of Burgeesses*

*To the Honorable Alexander Spotswood Lieut. Govern<sup>r</sup>. of Virginia*

SIR

Having taken into our consideration the Message Sent us by yo<sup>r</sup> Hono<sup>r</sup>. the 20<sup>th</sup> Instant as an Amendment proposed by your Honour to some Resolves made in this House the 14<sup>th</sup> Instant to beg leave to offer Some few Reasons of many why we cannot agree to that addition to our Resolves. As to the first part we do conceive That the Resolve is so plain and direct That there cannot want any Additional Instructions to the person Impowered to Solicite, because in that Resolve as it is agreed to by the Council and Burgeesses he is appointed only for the purposes therein mentioned. and Such other matters as may be agreed by your Honour, the Council and Burgeesses of this Assembly So that what is there mentioned and what shall hereafter be agreed to by Your Honour the Council and this House of Burgeesses We conceive must be his Instructions, and he has not licence nor Authority to go beyond that; And as to that part of Your Hono<sup>r</sup> Message which mentions his giving Bond. We most Sincerely assure Yo<sup>r</sup> Honour that

we

we are intirely ignorant of any other affaires relating to this Government Intended to be by him medled in, and that We do not desire he should Ingage in any, But as Your Hono<sup>r</sup> knows this Gentleman M<sup>r</sup> Byrd is One of the Council has a very valuable Estate in this Country and did before the Meeting of this Assembly. design Speedily for *Britain* And for these and other Reasons You Your Self Sir have Since these matters to be Solicited were in Agitation named him as a fit person to be used in these affaires. We do humbly hope you will not now deprive the Country of a person so capable and in all respects most proper for this Employment by Insisting on the proposed Addition to our Resolve which if added We have just reason to believe will prevent his Engaging in that Service for this Country Wherefore We do most humbly and Earnestly beseech your Honour to give your Assent to those Resolves as they are now agreed to by the Council and Burgeesses.

*Ordered*

That the Said Message be fairly transcribed and Signed by the Speaker and that the Committee of Propositions and Grievances do carry the Same to the Governour.—

*Ordered*

That the Said Committee do acquaint the Council That this House have agreed to the Amendment made by them to the Resolve touching the Soliciting certain affaires in *Great Britain*—

*Resolved*

That the Governour be desired to Issue his Warrant to the Treasurer, for paying to the Speaker of this House a Sum not Exceeding two thousand pounds, and that he pay to the respective Burgeesses their Salaries for this Session according to a former Resolve of this House and do account to the next Assembly for the Same—

*Ordered*

That the Committee of Propositions and Grievances do carry the Said Resolve to the Governour and Council and desire their Assent and Concurrence thereto—

*Resolved*

That this House doth Recede from the Amendment proposed by them to the amendment made by the Council to the Bill intituled *an act further declaring what shall be accounted a Sufficient Seating, planting Cultivating and Improving Lands.*—

*Ordered*

That the Committee of Propositions and Grievances do acquaint the Council That this House doth Recede from the Said Amendment.—

The Amendment made by the Council in the address to the Governo<sup>r</sup>. Relating to the defence and Security of the Harbours in this Colony, being read was agreed to. And the Said address as in these words.—

*To the Hon<sup>ble</sup> Alexander Spotswood his Majest<sup>y</sup> Lieut. Govern<sup>r</sup>. and Commander in Chief of Virginia.*

*The humble Address of the Council and Burgeess<sup>s</sup>.*

*SIR*

We his Majesties most dutiful and Loyal Subjects the Council and Burgeesses of this present Assembly being justly alarmed at the frequent Piracys committed upon our Coast, and finding that Privateers grown bolder by Success, have ventured within our Capes and taken Ships in Sight of our Harbours, Do humbly Intreat your Honour to lay before the Right Hon<sup>ble</sup> the Lords Commiss<sup>rs</sup> for Executing the Office of Lord high Admiral the great danger to which the Trade of this and the Neighbouring Province of *Maryland* is Exposed—how much his Majesties Customs are thereby diminished, and the Navigation to and from *Great Britain* interrupted, as well as that of his Majesties other plantations

To remedy these misfortunes we humbly propose That their Lordships be pleased, instead of a Sixth rate Man of Warr to Send hither One of about forty Guns to attend this Station that may be able to guard our Coast from pirates or privateers of the greatest force, And because piratical Vessels of less Burthen can run into Shoal Water

where

where his Majesties Ships of War cannot pursue them without danger. We beg your Honour will intercede with their Lordships to Send hither likewise a man of War Sloop that may be able to follow and attack these Enemies of Mankind in all their places of Retreat where now they account themselves secure.

And because the Commanders of his Majesties Ships have frequently deserted the Station which they were sent on purpose to protect, and under pretence of Strefs of Weather have Sailed to *Barbadoes New York* or Some of the other Plantations upon their own private Business We beseech your Honour to represent this great abuse to their Lordships that thereby they may be induced to give Such Effectual Orders to the Captains of the Men of War that they may not on any pretence whatsoever abandon that Station which their Lordships Shall assign them, and while they continue in it That they be under the Orders of his Majesty's Governor for the time being.—

And if there be any other Expedient, which your Honour in your great Prudence shall judge necessary for the better Guarding of our Coast. or the protecting of our Trade, we humbly pray That you will be pleased to lay it before their Lordships and we doubt not Sir but the happiest Success will attend your powerful Intercession

*Ordered*

That the Speaker do sign the Several Addresses of the Council and this House to the Governour, relating to the Treaty with the Northern Indians and the defence and Security of the Harbours in this Colony And that the Committee of Propositions and Grievances do carry the Same to the Council.—

*Ordered*

That the Said Address be presented by the whole House—

A petition of *James Shields* praying an Allowance for sending into *Westmorland* to take the Sheriff of that County into Custody was read

*Resolved*

That the Same be Rejected

The Several Petitions following were read

A Petition of Sundry Inhabitants of *Wilmington* Parish praying that the Same may be dissolved and united to other Parishes.—

A Petition of Sundry Inhabitants of *James City* Parish, praying that part of *Wilmington* parish may be added to their parish.—

*Resolved*

That the Said Petitions be Refer'd to the Consideration of the next Session of Assembly.—

*Ordered*

That the Clerk prepare a Duplicate of the addresss to his Majesty and that the Same be Signed by the Speaker.—

Mr. *William Randolph* reports that the persons appointed had according to Order proportioned the Publick Levy which amounts to five pounds of Tobacco per poll and that they had entered the Several Proportions in a Book which he delivered in at the Table and the same was read and agreed to.—

A Message from the Council That their President in behalf of them had Signed the Addresss to the Governor and that they have appointed three of their Members to Join with Such of the Members of this House as shall be appointed to wait on the Governor to know his pleasure when he will be attended with the Said addresss.—

*Ordered*

That Mr. *Corbin*, Mr. *Waller* Mr. *Stith*, Mr. *Thomas Randolph*, Mr. *Teackle* and Mr. *Presly* do, together with the Three Members of the Council wait on the Governour to know his pleasure when he will be attended with the Said Addresss.

A Bill for raising a Publick Levy was read the first and Second time—

*Resolved*

That the Same be Ingrossed.

Adjourned til to morrow morning Eleven a Clock.—

*Thursday*

Thursday December the 22<sup>d</sup> 1720.

**O**RDERED

That the Committee of Propositions and Grievances do carry the Duplicate of the Address to his Majesty, to the Council and acquaint them That

It is Signed by the Speaker of this House, and desire them to Sign it, and to inform this House when they will Send Messengers to wait on the Govern<sup>r</sup> to know his pleasure when he will be attended by the Council and this House with the Said Address.—

M<sup>r</sup> *Corbin* reports That the persons appointed Together with a Committee of the Council had waited on the Governour to know his pleasure when he will be attended with the Addressees of the Council and this house relating to the Treaty with the Northern Indians, and the defence and Security of the Harbours and that he was pleased to appoint this day at One a Clock in the Council Chamber.

*Ordered*

That the report of the Committee of Elections and Priviledges made on the Petition of Sundry Inhabitants of *Effex* County complaining of hardships Imposed on them by the Militia Court lately held in the said County, be referd to the consideration of the next Session of Assembly.

A Bill intituled *an Act for raising a Publick Levy* was read the Third time.

*Resolved*

That the Bill do pass.—

*Ordered*

That the Committee of Propositions do carry the Said Bill to the Council and desire their Concurrence thereto—

*Ordered*

That the Said Committee do carry the Book of Propositions to the Governour and Council and desire their Assent and Concurrence thereto.—

M<sup>r</sup> *Clayton* reports from the Committee of Propositions and Grievances That they had had under their Consideration Sever<sup>l</sup> matters to them referd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and it is as follows.

The Committee being ordered by this House to prepare and bring in a Bill, to oblige the severall proprietors of the Several Tracts of Land called *Brent Town*. The Tract now belonging to M<sup>r</sup> *Henry ffitzhugh* the younger, and the Tract belonging to *Edward Jefferys* Esq<sup>r</sup> in the County of *Stafford*, to Survey the Said Severall Tracts of Land within three yeares or on failure thereof, That any person shall be at Liberty to enter for and hold the Same, and finding many difficulties attend the Same—

*Resolved*

That the Same be Referd to the Consideration of the next Session of Assembly.—

Upon consideration of the Petition from *Stafford* County praying an Inspection into the Proprietors Office and complaining of many Irregularitys therein.—

*Resolved*

That the Same will be proper to be considered when the said Bill shall be prepared.—

The Committee being ordered by this House to prepare and bring in a Bill for amending the Act concerning Servants and Slaves, as also to provide for the matters in the Memorial of *John Broadnax* deceased, and having found many difficulties to attend doing thereof have

*Resolved*

That the Same be refer'd to the consideration of the next Session of Assembly.

The Said report being again read

*Resolved*

That this House doth agree with the Committee. That the Said Several matters be refer'd to the Consideration of the next Session of Assembly.—

The House attended the Governour, And being returned M<sup>r</sup> *Speaker* reported That he had presented the Address<sup>s</sup> of the Council and this House relating to the Treaty with the Northern Indians, to the Governour. And that he was pleased to make this Answer—  
*Gentlemen of the Council*  
*and House of Burgeffes.*

I can be at no Loss how to Act when you are Unanimous in your advice, and I shall Endeavour to Satisfy their Lordships of the reasonableness of your Opinion now given.—

And that he had likewise presented the address of the Council and this House Relating to the Security and defence of the Harbours in this Colony to the Governor. To which he returned this Answer

*Gentlemen,*

My Sentiments do in a great measure Concur with yours and So far I shall Second your Opinion with all the force which my Representations can have at home.—

A Message from the Governour and Council That they have Assented and agreed to the Resolves of this House of Yesterday for paying the Money Allowances in the book of Claims out of the Money in the Treasurers hands And for paying to the Clerk of this House Six pounds five Shillings for the Copies of the Proportions of this Session to be sent to the respective Counties

A Message from the Council That they have appointed four of their Members to Joyn with Such of the Members of this House as shall be appointed to wait on the Govern<sup>r</sup> to know when he will be attended with the Address to his Majesty.—

*Ordered*

That the Committee of Propositions and Grievances together with the Said Members of the Council do wait on the Governour to know his pleasure when he will be attended with the said Address

M<sup>r</sup> *Clayton* Reports That the persons appointed had accordingly waited on the Governour and that he was pleased to say he wou'd Receive that Address when the House should attend him with the Bills—

A Message from the Governour and Council That they have assented and agreed to the Book of Proportions.—

A Message from the Council That they have passed the Bill.—Intituled *an Act for Raising a Publick Levy.*

M<sup>r</sup> *Bowsh* reports That the persons appointed had Examined the Inrolled Bills and that the same were truly Inrolled.

*Ordered*

That the persons who Examined the said Bills do carry the same to the Council, for their Inspection.—

A Message from the Council That they are Satisfied the Bills are truly Inrolled.

Adjourned til to Morrow Eleven a Clock in the Morning

*Fryday December the 23<sup>d</sup> 1720.*

A WRITTEN Message from the Governor was delivered by M<sup>r</sup> *Robinson*.—  
*M<sup>r</sup> Speaker and Gentlemen*  
*of the House of Burgeffes*

Your Message relating to the Resolves of your House for appointing a Solicitor Engages me to Shew Reasons for the Amendment which I proposed thereto whereupon I do assure you that the Principal Motive to my requiring such a Refrstraint to be laid on whatever person should be appointed under that Character was in Order to take away Temptation from unquiet Spirits who might be Disposed to Sow again the Seeds of Contention, and were I to enter upon displaying some past Transactions they would

would mainly serve my purpose in the present Argument. But I will confine my Self to the Terms of our Union by forbearing to touch upon any former differences.—

You will have it that the Resolve which you and the Council have agreed to is plain and direct enough to Serve for your Solicitors whole Instructions, but surely you will not maintain that an acceptance of an address is to pass for an Assent to every part thereof and you may observe that I yesterday answered, That my Sentiments did (not altogether but) in a great measure Concur with yours So that I hope you will upon Second Thoughts find it Expedient to make the Amendment I proposed and not deem any thing to be Instructions from the General Assembly until the Governour has Signed them—

As to the other part of the Amendment concerning the Bond to be given for Acting in the affairs of this Government no otherwise than pursuant to his Instructions. I shall make out the reasonableness of my Demand by comparing it with the constant practice in matters of an higher nature; for upon Examination you will scarce find any person bearing Office in these plantations who is obliged to be appointed or approved of by the King or by the Commiss<sup>rs</sup> of the Treasury or Customs) but he has given Bond for the due Execution of his Trust And I herewith Send you a late Original Order of his Majesty in Council with a Copy of the Bond which I was thereby required to take from the President of *Maryland* whereby you may observe That even Governors themselves give Bond for their duly acting according to their Instructions and I never heard of any that refused the Trust offered them as taking Offence at Security being demanded of Men of their worth Capacity or Integrity.—

I am a little Surprised that you as an House should tell me that I my Self had named M<sup>r</sup>. Byrd as a fit person to be used in these Affairs agreed to I am certain Such nomination doth not appear from any Speech or Message of mine, or from any other Communication that I have had with the General Assembly. But if in a Parliamentary way of proceeding we might ground any thing upon private Conversation or Debates I have as proper an Article to ballance the account and could also tell you that I overheard One of the most Zealous Advocates for the proposed Solicitor Argue that he ought to be well paid because he run a great deal of hazard in Exposing himself to the Repentments of the Governour—

But as neither you nor I ought to take notice of Discourses of this kind I will without drawing any Inferences from unguarded Arguments come to the point and tell you.—

When I reflect how often Agents from Assemblies here have been rejected by the Crown, and gather from the Representations which I now send you for your Information what Sense the Ministry at home have of Such like appointments I think that upon the Conditions which I have proposed I condescend as far as I safely can to agree to a Solicitor and therefore I must adhere to my Amendment.—

Several Papers in the said Message Referred to were read

*Resolved*

That this House do now Resolve it self into a Committee of the whole House to consider the Said message.—

The House accordingly Resolved it Self into a Committee of the whole House—

M<sup>r</sup>. *Speaker* left the Chair

M<sup>r</sup>. *Clayton* took the Chair of the Com<sup>tee</sup>

M<sup>r</sup>. *Speaker* resumed the Chair

M<sup>r</sup>. *Clayton* reports from the said Com<sup>tee</sup> That they had had under their consideration the Governours written Message relating to the Resolves of this House for appointing a Solicitor in *Great Britain* and had agreed upon a report which he read in his place and afterwards delivered the same in at the Table where the same was again read and part thereof agreed to as follows.

*Resolved*

That the Amendment proposed and adhered to by the Governour be not agreed to.



A written Message from the Governour was delivered by M<sup>r</sup>. *Robertson*.  
*M<sup>r</sup>. Speaker and Gentlemen*  
*of the House of Burgeffes.*

It is with the greatest Reluctancy I offer any thing at this time which may give any Delay to your Separation—but the Express Commands of my Sovereign oblige me to remind you of that affair which has now depended during three Sessions of Assembly without any determination tho' it has been particularly recommended by his Majesty.—

You may observe in the Journals of your House that in *April 1718*. I particularly took notice of his Majesty's Commands for Reimbursing to the late *Virg<sup>a</sup>* Indian Company what Charge and Expence they had laid out during their Continuance for the publick benefit And in pursuance of that Recommendation an Account was laid before the then House of Burgeffes and Resolves passed for payment of some Articles in that Account, but no payments directed in pursuance of those Resolves.—

In the next Session a new Petition was Exhibited for obtaining the payment of what the former Session had resolved to Discharge, and a further Consideration of the Articles in the Account but that too was refer'd til the next Session—

During your present Session that matter has again come under consideration and refer'd to a Committee but some difficulties appearing to them how much of the said Indian Company's Account was Expended on the Faith of the Government, application was made to the Council for ascertaining that Charge, and tho' the Council Judging Your House would not have Sufficient time to Examine those accounts this Session have put off the Consideration thereof til further time yet they have so far proceeded thereon that a Separate Account of what the said Company Expended on the faith of the Government has been drawn out and Examined by a Committee of the Council and is now ready for your Perusal.—

Wherefore That his Majesty's Recommendation may not appear to be any longer Slighted I herewith Send you the said Account and report of the Committee of Council and do again recommend to you to come to Some Determination as well upon this as the other Articles laid before you.—That in case you shall be of Opinion for disallowing any of the Expences which the Said late Company have been at for the publick benefit they may be at Liberty to apply again to his Majesty for Such Reparation of the Losses they have Sustained as his Majesty shall judge reasonable.—

*December 23<sup>d</sup> 1720*

*A. Spotswood.*

*Resolved*

That this House cannot proceed to the consideration of the matters contained in the Said Message the Same being now before the Council and undetermined—

*Resolved*

That the Speaker do pay the fifty two Members of this House for their attendance this Session out of the Sum of Two Thousand pounds appropriated for that purpose.—  
 A Message from the Governour was delivered by M<sup>r</sup>. *Robertson*.—

*M<sup>r</sup>. Speaker.*

The Governour commands the Immediate attendance of this House in the Council Chamber and that you bring with you the Several Inrolled Bills

The House accordingly went up to attend the Governo<sup>r</sup> in the Council Chamber where he was pleased to give his Assent to the Several Publick and private Bills following

*An Act for Erecting the Countys of Spotsylvania and Brunswick and granting certain Exemptions and Benefits to the Inhabitants thereof.—*

*An Act for the better discovery and Securing of his Majesty's Quit Rents*

*An Act Explaining and declaring what shall be accounted a Sufficient Seating and Improvement to Save Lands from Lapsing and for the better Recovery of Lands Lapsed from persons living out of the Country.—*

*An Act for Supply of certain Defects found in an Act prescribing the method of appointing Sheriffs.—*

*An Act for the more Effectual preventing the Tending of Seconds*

*An Act giving a Reward for killing of Wolves and repealing all other Acts relating thereto—*

*An Act for Explaining and amending an Act entituled an Act for appointing Rolling Houjes and Publick Landings and ascertaining the prices of Storage—*

*An Act for Settling New fferrys over Pamunkey, Matapony and Potomack Rivers and for ascertaining the Rates for Wheel Carryages*

*An Act for raising a Publick Levy.—*

*An Act for dividing St. Johns Parish in the County of King W<sup>m</sup>*

*An Act for Enlarging Charles City County and for Consolidating those parts of the Parishes of Westopher and Waynoak on the North Side James River and that part of Wallingford parish on the West Side Chicohominy River.*

*An Act to divide those parts of the Parishes of Westopher and Weynoak which ly on the South Side of James River from those parts of the Said Parishes which ly on the North side the Said River and for Uniting Westopher and Waynoak Parishes on the South side James River to Martin Brandon Parish in the County of Prince George and for Erecting a Chappel in Bristol Parish—*

*An Act for dividing the parish of Henrico in the County of Henrico.*

*An Act dividing Richmond County—*

*An Act for dividing New Kent County—*

*An Act to Impower Henry Cary Gent. to finish the House of the Governour of the Colony and Dominion of Virginia.—*

*An Act for altering the day for Northampton County Court*

*An Act to Enable Abraham Cock to Sell certain Intailed Lands and for Settling other Lands to the Same uses.—*

The Governour likewise passed the Refolve for paying the Burgeffes and Charges of this Affembly in Mony and the [n] made the following Speech—

*Gentlemen of the Council  
and House of Burgeffes:*

I fhall lay hold on the first fair Opertunity to Tranfmit this your Addrefs to his Majesty, and the most powerful Interceffion that I can make fhall attend it, And now Gentlemen, I am come to put an End to this Seflion of Affembly. A Seflion wherein We have agreed on Several confiderable matters which I Trust will Tend to the Advantage of this Colony and therefore I take my leave of you with abundant Satisfaction hoping that the next time we meet we fhall accord Stil more and more in our Sentiments.—

And So I Prorogue you to the Seventh day of November next And this General Affembly is accordingly prorogued.

# JOURNAL

OF THE

# HOUSE OF BURGESSES

AT A

## GENERAL ASSEMBLY

Begun at his Majesties Royal Capitol in the City of WILLIAMSBURGH the second day of *November* In the Seventh year of the Reign of our Soverain Lord GEORGE By the Grace of God of *Great Britain ffrance and Ireland* King Defender of the ffaith &c. And in the year of our Lord 1720 And from thence continued by several Prorogations to the ninth day of *May*. In the eighth year of the Reign of our said Soverain Lord GEORGE &c. And in the year of our Lord One Thousand Seven hundred and Twenty Two being the Second Sesssion of this present Asssembly.

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RICHMOND, VIRGINIA.

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# JOURNAL

## OF THE

# HOUSE OF BURGESSES

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*Wednesday May the 9<sup>th</sup> 1722.*

A MESSAGE from the Governor by M<sup>r</sup>. *Robertson*  
M<sup>r</sup>. *Speaker*.

The Governor commands the immediate Attendance of this House in the Council Chamber.

And accordingly M<sup>r</sup>. *Speaker* with the House went up to attend the Governor.

And M<sup>r</sup>. *Speaker* with the house returning M<sup>r</sup>. *Speaker* reports That he had attended the Governor who was pleased to make a Speech and to the end he might not misrepeat him he had procured a Copy thereof which he read to the House and is as follows.—

*Gent. of the Council and House of Burgeffs*:

So soon as I understood that our Soverain had proposed and the *British* Parliament had resolved to enter upon measures for Rendering these Plantations still more useful and advantageous to their Mother Country I could not but judge it requisite That you should meet in General Assembly for tho' the Parliaments Encouragements may greatly prompt People in these parts to Bend their Industry towards raising Naval Stores Yet if you should likewise think fit to apply your Attention to waies and means for promoting the same Ends. I should not doubt of Your falling on Some Additional Encouragements more peculiarly adapted to the Circumstances of this Colony which might further induce our Inhabitants to answer his Majesties most gracious Intentions.—

Since your last Session there have been certain Transactions between this Government and the Indians of the five Nations the particulars whereof are ready to be laid before you and I question not but you'll find the course of our Negotiations that I have acted conformably to your Sentiments and especially to those which you unanimously declared in your late address on that Subject and I presume the Answer which we have at length obtain'd from those Indians in a Solemn Conference held at *Albany* in *September* last will be deemed by you to be so satisfactory that you must think this Governments in the right to conclude upon Sending Commissioners to *Albany* as I have promised to do Some time this Summer.—

And tho' you formerly declared against advising or Enabling me to treat with those five Nations at *Albany* until a Satisfactory Answer was returned to the Preliminary Articles insisted on by *Virginia* yet Since they are plainly agreed to I hope you will now contribute your assistance in Such a manner as may make the intended Embassy not only prove effectual but also appear Suitable to the Dignity of his Majesties first and most antient Colony in *America* by engaging Men of distinguished parts and figure to undertake a Negotiation which may according as it is managed lay a lasting foundation for the Peace and Tranquility of our frontiers. And indeed there are some nice points to be handled by our Commissioners which you will observe (by the Papers laid before

before you) this Governm<sup>t</sup> has referred to be discussed in the promised meeting at *Albany*.

*Gentl. of the House of Burgeffes.*

I flatter myself that the supply I ask of you upon this Account will be the more readily granted when you consider the Several formidable works which have been made Since the last Session for the Security of your Rivers and which the whole Council advised as needful precautions against Pirates while the same desperate Crew that had a little before destroyed all the Shipping at *Trepassy* in *Newfound Land* did publicly threaten to come and do the Same in *Virginia* besides the S<sup>t</sup> *Augustin's* Expedition (which received a Sufficient Testimony of yo<sup>r</sup> approbation. And the many Extraordinary Courts held of late years for trying Pirates and other Malefactors have occasioned Such considerable Draughts on the Established Revenue that I apprehend it will hardly be able to bear the Expence of the intended Treaty without some present assistance from you—

The proposal you made for a Lighthouse at Cape *Henry* has been according to your Desire Communicated to the Government of *Maryland*, and after I have laid before you the Answer from the Assembly of that Province I shall leave you to Judge how inclinable they are to Concur with you in So Beneficial a work.

*Gentl. of the Council and House of Burgeffs.*

I shall avoid offering much business to your consideration at a Season of the year when I'm persuaded a short Session would be most acceptable to you and therefore I shall add no more to your present Consultations than One weighty Concern which I think highly deserves your Attention and that is to Establish Some wholesome Rules whereby those in the Administration here may legally act upon any apparent approach of that fatal Contagion which rages in Some parts of *Europe*—

*Ordered.*

That all Committees of the last Session be revived and that they have Power to adjourn from day to day and to Send for Such persons papers and Records as they shall from time to time think necessary—

*Ordered*

That M<sup>r</sup> *Pole* do attend the Committee for Propositions and Grievances as Clerk of the Said Committee

*Resolved*

That an Address be made to the Governor upon his Speech to this house and that the Committee of Propositions and Grievances do prepare the Same.—

*Resolved*

That this House will take the Governors Speech into consideration on *friday* next.

*Miles Cary* upon his Petition is appointed Clerk of the Com<sup>tee</sup> for privileges and Elections and the Committee for Public Claims.

A Message from the Governor by M<sup>r</sup> *Robertson*—

M<sup>r</sup> *Speaker*—

I am commanded by the Governor to deliver to this House the Several Papers mentioned in his Speech.—

Upon the Petition of *Henry Swinfen* Clerc. he is appointed Chaplain to this House and *Ordered*—

That he attend every morning at ten a Clock in the Conference Chamber.

*Nich<sup>s</sup> Wager* upon his Petition is appointed One of the Door keepers to this House.—

*Resolved*

That all propositions Grievances and Public Claims be brought into the House by *friday* next or otherwise that they be not received this Session.—without particular leave of the House.—

*Resolved*

That the orders of the last Session of Assembly do continue standing Orders of the House this Session.—

Mr. *Blair* laid before the House the Accounts of the persons Intrusted with the Sum of One hundred and fifty pounds given by the last Assembly towards the making of Causeways and Repairing the Streets in the City of *Williamsburg*.—

*Resolved*

That the said Accounts be refer'd to the Committee for Public Claimes to Examine the Same and report their Opinions thereupon to the House.

Several Claimes from the Counties of *Hanover, Richmond, Prince George, King George, Isle Wight, Elizabeth City*, and *York* were presented to the House.

*Resolved*

That the Said Claims be refer'd to the Committee for Public Claimes to Examine the Same and report their Opinions thereupon to the House

A Proposition from Sundry Inhabitants of the County of *York* against Striking off was presented to the House.—

*Resolved*

That the same be refer'd to the Committee for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House.—

*Ordered*

That the Committee for Propositions and Grievances do Inspect the Journal of the last Session and report to the House what they find therein necessary to be considered this Session—

*Ordered*

That the Said Committee do Inspect Such Acts of Assembly as are lately expired or near Expiring and report their Opinions therein to the House—

*Ordered*

That the Committee for Publick Claimes do Inspect the report of the said Committee at the last Session and report what they find therein necessary to be considered this Session—

*Ordered*

That Mr. *Braxton*, Mr. *Willis*, and Mr. *Presly* do wait upon the Governor and desire him to Issue out New writs for the Electing of Members to Serve in this present General Assembly for the County of *Accomack* in the room of *John Teacle* gen. deceased.

As also for the County of *Gloucester* in the room of *Nathaniel Burwell* gent. deceased.

As also for the County of *King* and *Queen* in the room of *Robert Beverley* Gentl. deceased.—

As also for the County of *Northampton* in the room of *William Waters* gen. deceased.

And also for the County of *Warwick* in the room of *James Roscow* Esq<sup>r</sup> deceased.—

Adjourned till Ten a Clock to morrow morning.

*Thursday May the 10<sup>th</sup> 1722.*

SEVERAL Claimes from the Counties of *James City, Warwick King and Queen, Middx. Norfolk King William, Charles City Princefs Ann Henrico and Effex.* were presented to the House.

*Resolved*

That the said Claims be refer'd to the Committee for Public Claimes to Examine the same and report their Opinions therein to the House.

A Proposition from Sundry Inhabitants of the County of *Warwick* against Striking off was presented to the House—

*Resolved*

That the same be refer'd to the Committee for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

*Ordered*

*Ordered*

That M<sup>r</sup> *Clayton* and M<sup>r</sup> *Robinson* do acquaint the Governor and Council of the time appointed for the Chaplain of this House to read Prayers.

*Ordered.*

That a Com<sup>tee</sup> be appointed to Inspect the Public Goal and to consider what additional building and repairs are necessary to be made for the more Safe and convenient keeping of the Prisoners committed to the Same and to compute the Charge thereof and to report the same to the House and It is Refer'd to M<sup>r</sup> *Clayton*, M<sup>r</sup> *Blair*, M<sup>r</sup> *McCarty* M<sup>r</sup> *Meriwether* and M<sup>r</sup> *Waller*—

*Resolved*

That twenty five Members and the Speaker be sufficient to make a House and that fifteen and the Speaker be Sufficient to adjourn.—

A Petition of Sundry of the Justices of the Peace and freeholders of the County of *Effex* praying that a ferry may be appointed upon *Rapahanoc* River at *Robert Kays* plantation in the said County was presented to the House and read.

*Resolved.*

That the said Petition be referd to the Committee for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

M<sup>r</sup> *Corbin* reported from the Committee for Privileges and Elections that the Said Com<sup>tee</sup> had had under their consideration the Several Returns of the writs for the Electing of Burgesses to Serve in this present Gen<sup>l</sup> Assembly for the Counties of *Hanover* and *King George* and that it appear'd to the Said Committee That M<sup>r</sup> *Nicholas Merewether* and M<sup>r</sup> *John Sym* are duly returned Burgesses to Serve in this present General Assembly for the County of *Hanover* but that M<sup>r</sup> *Meriwether* was a Sitting Member for the County of *New Kent* before his Election for the said County of *Hanover*.—

And that it appeared to the said Committee That M<sup>r</sup> *Nicholas Smith* and M<sup>r</sup> *W<sup>m</sup> Thornton* were returned Burgess<sup>s</sup> to Serve in this present General Assembly for the County of *King George* but that the Sherif of the said County had Omitted the year of the reign name and Title of the King in his return and therefore the Said Committee were of Opinion that the said Sherif be Sent for in Custody to amend his Return.—

Then the House proceeded to the consideration of the Said report and after a Debate the Question was put.

That M<sup>r</sup> *Meriwether* hath a Right to make his Election for which of the Said Counties he will Serve—

It pass'd in the Negative

*Resolved.*

That M<sup>r</sup> *Meriwether* is duly returned a Burgess to Serve in this present General Assembly for the County of *Hanover* and ought to Serve for that County.

The House disagreed to the report of the Said Committee made upon the Return of the Sherif of *King George*. and

*Ordered*

That the Said Return be amended at the Table by the Clerk.

*Ordered*

That M<sup>r</sup> *Meriwether* and M<sup>r</sup> *Waller* do wait upon the Governor and desire him to Issue out a new writ for the Electing of Members to Serve in this present General Assembly for the County of *New Kent* in the room of *John Stanhope* gen deceased and *Nicholas Meriwether* gen who since his Election for the said County hath been returned a Burgess to Serve in this present Gen<sup>l</sup> Assembly for the County of *Hanover*—

A Debate arising whether the Sum of Three hundred pounds should be paid to *W<sup>m</sup> Bird Esq<sup>r</sup>* according to a Resolve of the House of Burgesses in the year of our Lord 1718.

The Question was put That the Debate be adjourned.

The



The Houfe divided

Yeas.....	21	} Speaker No.
Noes.....	21	

So it paffed in the Negative—

*Resolved* upon the Queftion

That the Sum of Three hundred pounds be paid to *W<sup>m</sup> Bird* Efq<sup>r</sup> out of the Publick money in the hands of *Peter Beverley* Efq<sup>r</sup> Treaf. according to a Refolve of the Houfe of Burgeffes in the year of our Lord 1718—

*Ordered*

That M<sup>r</sup> *M<sup>c</sup>Carty*, M<sup>r</sup> *Corbin*, M<sup>r</sup> *Grymes*, M<sup>r</sup> *Meriwether*, M<sup>r</sup> *Harrifon*, M<sup>r</sup> *Blair*, M<sup>r</sup> *Presly*, M<sup>r</sup> *Willis* and M<sup>r</sup> *Braxton* do carry the faid Refolve up to the Council and defire their Concurrence thereto—

*Resolved*

That an Addrefs be made to the Governor humbly to defire his Affent to the faid Refolve and to Ifue his Warrant for the payment of the Said Sum and It is refer'd to M<sup>r</sup> *M<sup>c</sup>Carty*, M<sup>r</sup> *Corbin* M<sup>r</sup> *Grymes* M<sup>r</sup> *Meriwether*, M<sup>r</sup> *Harrifon*, M<sup>r</sup> *Blair*, M<sup>r</sup> *Presley* M<sup>r</sup> *Willis* and M<sup>r</sup> *Braxton*.

Adjorned til Eleven a Clock to morrow morning.

### *Friday May the 11<sup>th</sup> 1722.*

**M**R. *Clayton* reports That the perfons appointed to prepare an Addrefs to the Governor upon his Speech at the opening of this Seffion had accordingly prepared the Same which he read in his place and afterwards delivered it in at the table where the fame was again read and agreed to and is as follows.

*To the Hon<sup>ble</sup> Alexander Spotswood his Majeft<sup>y</sup> Liev<sup>t</sup>. Govern<sup>r</sup>. and Commander in Chief of Virginia—*

*The humble Addrefs of the Houfe of Burgeffes.*

*May it please Your Honor.*

His Majeft<sup>y</sup> moft dutiful and Loyal Subjects the Burgeffes met now in Affembly humbly beg leave to render your Hon<sup>r</sup> our hearty thanks for communicating to us thofe Important matters contained in your affectionate Speech at the Opening of this Seffion and to affure your Honor we will ufe our utmoft diligence in anfwering the Several matters propofed therein—

We think ourfelves oblig'd on this Occafion to Exprefs the juft Sence this Houfe hath of the Extraordinary Care and application your Honor hath ufed in Settling the Preliminaries with the Indians of the five Nations.—

And as you have been pleafed to A<sup>c</sup>t conformably to the Sentiments of this Houfe in your Negotiations thereupon we doubt not our Refolutions will Sufficiently Evince the great Weight your Honors Recommendation at all times hath with his Majefties faithfull Burgeffes.

*Ordered*

That the Said Addrefs be figned by the Speaker and prefented by the whole Houfe—

*Ordered*

That the Com<sup>tee</sup> for Propofitions and Grievances, do wait upon the Governor and defire to know his pleafure when and where he wil be attended with the Said Addrefs.

Several Claims from the Counties of *Lancafter* and *Westmorland* And Several Claims of the Sherif of *York* County and *James Adams* were prefented to the Houfe—

*Resolved.*

That the Said Claims be refer'd to the confideration of the Committee for Publick Claims to Examin the fame and report their Opinions, thereupon to the Houfe.—

The Several Petitions following were refer'd from the Govern<sup>r</sup> and Council viz<sup>t</sup>:

A Petition of the Vestry of the Parish of *Christ Church* in the County of *Middsex* praying to be Enabled to take proper measures for the inducing their Minister to continue in their parish.

A Petition of Sundry of the Inhabitants of the County of *King William* praying that the said County may be divided.

A Petition of Sundry other Inhabitants of the said County praying that the Said petition may be rejected.

*Resolved.*

That the said Petitions be refer'd to the consideration of the Committee for Propositions and Grievances to Examine the matter thereof, and report the same with their Opinions therein to the House.

Several Propositions from the Counties of *Hanover King William* and *King and Queen* were referd from the Governor and Council—

A Proposition and Grievance from the County of *Lancaster* were presented to the House.—

*Resolved*

That the said Propositions and Grievances be referd to the consideration of the Com<sup>tee</sup> for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

The order for the day being read

Upon a motion.

*Resolved*

That the House will Resolve it Self into a Committee of the whole house to consider the Governors Speech—

M<sup>r</sup> *Speaker* left the Chair.

M<sup>r</sup> *Clayton* took the Chair of the Com<sup>tee</sup>

M<sup>r</sup> *Speaker* resumed the Chair

M<sup>r</sup> *Clayton* reports from the said Com<sup>tee</sup> That they had had under their Consideration Several parts of the Governors Speech and had made Some progress therein, but not having time to go thro' the Same had directed him to move for leave to Sit again

*Resolved*

That the House will again Resolve it Self into a Committee of the whole House to morrow to proceed further in the Consideration of the Governors Speech.

A Petition of *Francis Smith* praying to be Enabled to Sell certain Intailed Lands in the County of *Effex* upon his Settling other Lands in the *Spotsylvania* to the Same uses was presented to the House and read.

*Ordered.*

That a Committee be appointed to Examine the matter of the said Petition and report the Same with their Opinions therein to the House and It is refer'd to M<sup>r</sup> *Robinson*, M<sup>r</sup> *Nich<sup>s</sup> Smith* M<sup>r</sup> *Ejcridge*, M<sup>r</sup> *Covington* and M<sup>r</sup> *Hawkins*.

A Petition of *John Scot* the Younger praying an Allowance for a Negro woman Slave of the said Petitioner who being committed to the Goal of the County of *Surry* for felony was burnt in the Said Goal.—

*Resolved*

That the said Petition be refer'd to the consideration of the Com<sup>tee</sup> for Publick Claimes to Examine the matter thereof and Report the same with their Opinions therein to the House—

*Ordered*

That M<sup>r</sup> *Mumford* and M<sup>r</sup> *Nicholas Smith* be added to the Committee for public Claimes.

M<sup>r</sup> *Clayton* reports That the persons appointed to wait upon the Governor to know his pleasure when and where he will be attended by the House with their addrefs had accordingly waited upon him and that he was pleased to appoint to morrow morning at ten a Clock in the Council Chamber.

Adjourned til nine a clock to morrow morning—

*Saturday*

*Saturday May the 12<sup>th</sup> 1722.*

**A** PETITION of *Charles Waller* praying to be paid for a White Servant lately convicted and Executed for felony was presented to the House and read.—  
*Resolved*

That the said Petition be Refer'd to the consideration of the Com<sup>tee</sup> for Public Claims to Examine the matter thereof and report the Same with their Opinion therein to the House.—

M<sup>r</sup>. *Speaker* reports That he had attended the Governor with the Address of this House and that his Honor received it very courteously and was pleased to return this very kind Answer.—*viz*. —

*M<sup>r</sup>. Speaker and Gentl. of the House of Burgeffes.*

I kindly thank you for the hopes you give me of my recommendations having at all times Weight with your House and do assure you that on my part I am well disposed to gratifie you in all your Applications to me and shall be Anxious to support the authority and Credit of the House of Burgeffes. —

Several Claims from the Counties of *Nanfmond* and *Stafford* and a Claim of *James Shields* the Publick Goaler were with the leave of the House received—

*Resolved*

That the said Claimes be refer'd to the consideration of the Com<sup>tee</sup> for Publick Claimes to Examine the Same and report their Opinions thereupon to the House—

The House according to order Resolved it self into a Com<sup>tee</sup> of the whole house to procede further in the consideration of the Governors Speech and after Some time Spent therein—

M<sup>r</sup>. *Speaker* resumed the Chair

And M<sup>r</sup>. *Clayton* reported from the said Committee

That they had had Several parts of the said Speech under their consideration and had made a considerable progress therein but not having gone thro' the Same had directed him to move for leave to sit again.—

*Resolved*

That the House will on *Monday* next again Resolve it self into a Com<sup>tee</sup> of the whole House to consider further of the said Speech.

A Petition of *Chicheley Corbin Thacker* praying to be allowed for Public Services Since the last time he was allowed for the same was referd from the Governor and Council.—

*Resolved*

That the said Petition be referd to the consideration of the Committee for Public Claims to Examine the matter thereof and report the Same with their Opinions therein to the House—

Adjorned til Eleven a Clock on *Monday* morning.

*Monday May the 14<sup>th</sup> 1722.*

**M**R *Robinson* reports That the persons appointed had according to Order Examined the matter of the Petition of *francis Smith* and were of Opinion that the Allegations therein contained were true.

*Resolved*

That a Bill be prepared according to the prayer of the said Petition—

*Ordered*

That M<sup>r</sup>. *Robinson* M<sup>r</sup>. *Nich<sup>s</sup>. Smith* M<sup>r</sup>. *Ejcridge*. M<sup>r</sup>. *Covington* and M<sup>r</sup>. *Hawkins* do prepare and bring in the Same—

M<sup>r</sup>. *Clayton* reports from the Committee for Propositions and Grievances That upon Inspecting the Journal of the last Session of Assembly It appeared to the Said Committee.

That the proposition from *Middx* County That Parish and County levies may be better paid and Delinquents prevented was referd to the consideration of this Session  
of

of Affembly And the faid Com<sup>tee</sup> are of Opinion thereupon, That the matters therein contained are already provided for by Law and that the Said Proposition be rejected.—

That it appeared to the faid Com<sup>tee</sup> That the preparing and bringing in a bill to oblige the Several Proprietors of the Several Tracts of land called *Brent Town*, The Tract now belonging to M<sup>r</sup> *Henry fitzhugh* and *Henry fitzhugh* the Younger and the Tract belonging to *Edward Jefferies* Esq<sup>r</sup> in the County of *Stafford* to Survey the faid Several Tracts of land within three years Or on failure thereof that any person shall be at Liberty to Enter for and hold the Same was referd to the confideration of this Seflion of Affembly And the Petition of *Stafford* County praying an Infpection into the Proprietors Office and complaining of many Irregularities therein was refer'd to be confidered when the Said Bill should be prepared.

And the faid Committee are of Opinion That it is not neceffary to proceed further thereon

That it further appeared to the faid Committee That the preparing and bringing in a Bill for Amending the A<sup>ct</sup> concerning Servants and Slaves

As alfo to provide for the matters in the Memorial of *John Broadnax* deced was refer'd to the confideration of this Seflion of Affembly.

And the faid Com<sup>tee</sup> are of Opinion thereupon That a Bill be now brought in for the purpofes aforefaid.—

Then the Houfe proceeded to the confideration of the faid Report and the Same was twice read and agreed to—

*Refolved*

That a Bill be brought in for amending the A<sup>ct</sup> concerning Servants and Slaves purfuant to the Said report and It is refer'd to the Com<sup>tee</sup> for Propofitions and Grievances to prepare and bring in the Said Bill

M<sup>r</sup> *Clayton* further reports from the faid Com<sup>tee</sup> That they had had under their confideration Several of the Propofitions to them referd and had agreed upon a Vote which he read in his place and delivered in at the Table where the fame was again twice read and agreed to as followeth.

Upon confideration of the Several Propofitions from *King* and *Queen* [*King*] *William* and *Hanover* Counties complaining of frequent Murders Roberies Thefts and Efcapes committed by Convicts Imported into this Colony and praying that a large Reward may be given by the Public for the apprending fuch as fhall commit fuch Crimes and that their Owners may be relieved And that a Law may be made to difcourage the great Numbers Imported and to prevent Purchafers being Impofed upon by Mafters of Shippes and Merchants who Sell Such Convicts as other Servants

*Refolved*

That the Same may be properly confidered and remedied by the bill to be brought in to amend the A<sup>ct</sup> concerning Servants and Slaves.—

*Refolved*

That the fame be an Inftruction to the Committee appointed to prepare the Said Bill.—

The Houfe according to order Refolved it Self into a Committee of the whole Houfe further to confider the Governors Speech and after fome time Spent therein M<sup>r</sup> *Speaker* Refumed the Chair and M<sup>r</sup> *Clayton* reported from the Said Committee That they had made a further progrefs in the confideration of the Said Speech but not having gone through it had directed him to move for leave to fit again—

*Refolved.*

That the Houfe will again refolve it felf into a Com<sup>tee</sup> of the whole Houfe to morrow further to confider the Said Speech—

Several Claimes from the County of *Glofter* were with the Leave of the Houfe received.

*Refolved.*

That the faid Claims be referd to the confideration of the Committee for Public Claims to Examin the fame and report their Opinions therein to the Houfe.—

Adjorned til Eleven a Clock tomorrow morning

*Tuesday*

*Tuesday May the 15<sup>th</sup> 1722.*

THE Several Claims following were with the Leave of the House received.—  
*Viz.*

Claimes from the County of *Surry*.

A Claim of *Edmund Jennings Esq<sup>r</sup>*

Claims of *Henry Briggs* and *Charles Kemball* Indian Interpreters

*Ordered*

That the said Claims be refer'd to the consideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the House—

A Petition of *John Blinco* praying to be enabled to Sell certain intailed Lands in the County of *Northumberland* upon his setling other Lands in the same County and a Negro to the same uses was presented to the House and read.—

*Resolved*

That the said Petition be refer'd to Mr. *McCarty*, Mr. *Eschridge* Mr. *Presly* and Mr. *Hack* to Examine the matter thereof and report the Same with their Opinions therein to the House.

Several Petitions following were presented to the House and read *viz.*—

A petition of *John Brush* praying an Allowance for the Damage he Sustained by a hurt recd in firing the Great Guns on the 28<sup>th</sup> of *May* last being the Anniverfary of his Majest<sup>y</sup> Birth—

A petition of *Richard Hickman* praying to be allowed his usual Salary and Expences for keeping the Capitol and Clock.

*Resolved*

That the said Petitions be refer'd to the consideration of the Com<sup>tee</sup> for Public Claims to Examine the matter thereof and report the same with their Opinions therein to the House.—

A Petition of *Richard Hickman* praying that a new flag and Cushions may be provided for the Capitol was presented to the House and read

*Ordered*

That the 1<sup>st</sup> Petition do ly upon the Table.—

Several propositions from the County of *Surry* were refer'd from the Governor and Council.—

A Petition of Sundry Merchants and Traders in this Colony complaining of great Abuses in the Staple of Tobacco and praying that waies and means may be found to prevent the same was also refer'd from the Governor and Council—

*Resolved.*

That the same be refer'd to the consideration of the Com<sup>tee</sup> for propositions and Grievances to Examine the matter thereof and report the same with their Opinions therein to the House.—

Mr. *Harriſon* Reports from the Com<sup>tee</sup> for Public Claims that the said Committee had according to Order Examined the Accounts and Vouchers of the persons intrusted with the Sum of One hundred and fifty pounds given by the last Assembly towards the making of Causewaies and repairing the Streets in the City of *W<sup>m</sup>sburgh*. and that there is a Ballance of Seventeen pounds Two Shillings and Three pence due to Mr. *John Holloway* thereupon—

*Resolved*

That the Said Sum of Seventeen pounds two shillings and Three pence be paid to Mr. *Holloway* out of the money in the hands of *Peter Beverley Esq<sup>r</sup>* Treasurer—

A Petition of Sundry Inhabitants of the City of *W<sup>m</sup>sburgh* praying a further Sum for the compleating and finishing the Causewaies and Repaires in the Streets of the said City—

*Resolved*

That the same be Rejected

M<sup>r</sup> *Clayton* reports from the Committee for propositions and Grievances That the Said Com<sup>tee</sup> had had under their Consideration Several Propositions to them refer'd and were come to Some resolutions thereupon which he read in his place and afterward delivered in at the Table where the Same was again read and agreed to as followeth.—

Upon consideration of the Proposition from *King* and *Queen* Counties That a Law be made against Idle persons that are not known Traveling without passes and that a reasonable Satisfaction may be given to Such as shall take them up.—

*Resolved*

That the same be rejected being already provided for.

Upon consideration of the Propositions from *King* and *Queen* and *Hannover* Counties That the heads of the Rivers that divide Two Counties and Creeks may be cleared and hedges being made cros the same prevented and that this Assembly will contribute Some convenient Sum of money towards Such ends and purposes.

*Resolved.*

That where a River shall divide Two Counties the Courts of Each County be Impowered to levy Tobacco for doing Such work in proportion to the Number of Tithables and that the making hedges cros the same be prevented and those already made destroyed and that a Bill be prepared accordingly.

*Resolved*

That that part of the Proposition which relates to the Contribution of money towards Such work be rejected.

Upon consideration of the proposition from *Effex* County That a ferry may be appointed over *Rappahano*c River from *Rob<sup>t</sup>. Kays* Plantation in *Effex* County to M<sup>r</sup> *Samuel Skinkers* plantation in *King George* County And.

Upon the consideration of the Proposition of *George Dabney* That a ferry be appointed from his Landing in *King William* County to the Opposite Landing in the County of *Hannover*.—

*Resolved*

That a Bill be prepared accordingly

*Ordered*

That the Committee for Propositions and Grievances do prepare and bring in the Said Bills.

*Ordered.*

That the Said Com<sup>tee</sup> do bring in a Clause to be added to the Bill relating to the Said ferrie for the appointing a ferry from *Urbanna* in the County of *Middsex* over *Rapahanoc* River to *Chetwoods* in the County of *Lancaster* and a ferry from M<sup>rs</sup> *Garlands* in the County of *Hanover* over the River *Pamunkey* to M<sup>rs</sup> *Littlepages* Land in the County of *King William*.—

*Resolved*

That this House will Resolve it Self into a Com<sup>tee</sup> of the whole House tomorrow further to consider the Governors Speech—

Adjorned til Eleven a Clock tomorrow morning.

*Wednesday May the 16<sup>th</sup> 1722*

**C**LAIMS from the County of *Northumberland* were with the Leave of the House received.—

*Ordered*

That the Said Claims be referd to the consideration of the Committee for Public Claimes to Examine the Same and report their Opinions therein to the House—

M<sup>r</sup> *McCarty* reports That the persons appointed had according to order Examined the matter of the Petition of *John Blinco* and were of Opinion that the Allegations therein contain'd were true—

*Ordered*

*Ordered*

That Leave be given to bring in a Bill according to the Prayer of the Said Petition—

*Ordered*

That M<sup>r</sup> *Harrison*, M<sup>r</sup> *Bridger* and M<sup>r</sup> *Waller* do carry the Refolve for paying the Sum of Seventeen pounds two Shillings and three pence to M<sup>r</sup> *John Holloway* up to the Council and desire their Concurrence thereto.

*Resolved.*

That application be made to the Governor for his Assent to the said Refolve

M<sup>r</sup> *Clayton* reports from the Com<sup>tee</sup> for Propositions and Grievances That the said Committee had had under their consideration Several of the matters to them Referred and have agreed upon a Report which he read in his place and afterwards delivered in at the Table where the same was again read and agreed to as follows.

Upon consideration of the Propositions from *King* and *Queen* and *Hannover* Counties and the Representation of the Merchants and Traders in this Colony relating to Trash Tobacco and that the abuses committed in packing and Damage Sustained by Rolling thereof may be prevented and none Planted after the last of *June* yearly.—

*Resolved.*

That it is necessary That a Bill be brought in to Redress the matters Complained of.

Upon consideration of the Proposition from *Surry* County That no person shall follow any Trade but what he hath Served a time to and but One Trade and that Such persons may not have Liberty to Plant Tobacco.

*Resolved*

That the Said Proposition be rejected.

Upon consideration of the Grievance from the Said County That Idle and dissolute persons are very burthenfome to the poorer Sort of People and praying remedy therein—

*Resolved*

That the Said Grievance be refer'd to the consideration of the next Session of Assembly.

Upon consideration of the Proposition from the Said County That the Law making Negro and other Slaves Reall Estate may be repealed.—

*Resolved*

That the Said proposition be rejected

Upon consideration of the Grievances from *York* and *Warwick* Countys relating to Striking fish in the night by a Light and praying the Same may be prevented.

*Resolved*

That the said Grievances be rejected

Upon consideration of the proposition from *Hanover* County.

That the Burgeffs be paid out of the Public fund.

*Resolved*

That the said Proposition be rejected.

Upon consideration of the Grievance from *Hanover* County relating to the Bounds thereof being unascertained and praying the Same may be ascertained

*Resolved*

That the Surveyors of the Counties of *Hanover* and *Henrico* with Two persons to be appointed by the Courts of each of the said Counties Do lay out a dividing line for the said Counties at the Equal Charge of each County and that if they agree the same shall be marked for the Bounds of the Said Counties, But if they disagree that they make their report to the next Session of Assembly.—

*Ordered*

That the Committee for Propositions and Grievances do prepare and bring in a Bill pursuant to the Refolve of the Said Com<sup>tee</sup> —

The House according to order Resolved it Self into a Committee of the whole house further to consider the Governors Speech—

And after some time spent therein—

*Mr Speaker* Refumed the Chair

And *Mr Clayton* Reported from the Said Committee

That they had gone thro the Said Speech and were come to Several Resolutions thereupon which he read in his place and delivered in at the Table where the Same was again read.—

*Resolved*

That the Said report be confidered to morrow

Adjorned til Eleven a Clock tomorrow morning

*Thursday May the 17<sup>th</sup> 1722.*

**S**EVERAL Claimes from the Counties of *Effex* and *Accomack* were with the leave of the Houfe received.

*Ordered*

That the Said Claims be refer'd to the confideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the Houfe.—

A Bill for amending the Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandestine Transportation of perfons out of this Colony was read the first time—

*Resolved*

That the said Bill be read a Second time.

A Bill for Setling New ferries over *Rappahanoc* and *Pamunkey* Rivers was read the first time

*Resolved.*

That the Said Bill be read a Second time.—

A Bill to Enable *ffrancis Smith* to convey certain intailed lands to *John Spicer* gen. in free simple upon the said *John Spicers* conveying other lands therein mençoned to the Same uses—was read the first time

*Resolved*

That the said Bill be read a Second time.—

A Bill for the amending the breed of Horfes was read the first time

*Resolved.*

That the Said Bill be read a Second time—

The Houfe proceeded to the confideration of the report of the Committee of the whole Houfe made on the Governors Speech and the fame being twice read part thereof was difagreed to and part agreed to by the Houfe as follows.—

*Resolved*

That an Encouragement be given for the making of Naval Stores in this Colony.

*Resolved*

That Some Encouragement be given for the making of Hemp and Tar according to the directions of an Act of Parliment made in the Eighth year of the Reign of his present Majefty Intituled *an Act giving further Encouragement for the Importation of Naval Stores* and for other purposes therein mentioned.

*Resolved*

That the Governor be now Enabled to make the Intended Embassy to *Albany* this Summer in Such manner as may prove Effectual and also appear Suitable for the Dignity of this Colony.

That the Answer received from the Province of *Maryland* relating to the Resolves of the Houfe of Burgeffes at the last Sessïon for the building of a Lighthouse upon Cape *Henry* doth not contain any sufficient reasons to Induce this Houfe to treat with them any further thereupon—

*Resolved*

That a Bill be prepared for Eftablifhing Rules whereby thofe in the Adminiftration may legally act upon any apparent Approach of that fatal Contagion which rages in some parts of *Europe*—

*Resolved*



*Resolved*

That two shillings per Barrell be given for all Tar Exported which shall be made according to the directions of the Said Act of Parliament

*Resolved*

That four shillings shall be given for every Gross hundred of Hemp which shall be made in this Colony according to the direction of the said Act of Parliament.

*Resolved*

That no bounty be given upon Iron Cast in this Colony

*Resolved Nemine Contradicente*

That the Sum of One Thousand pounds be given the Governor to Enable him to make the intended Embassy to *Albany*.

*Ordered*

That the Committee for Propositions and Grievances do prepare and bring in a Bill for the Encouragement of Naval Stores pursuant to the said Resolves. And that it be an Instruction to the said Com<sup>tee</sup> to bring in a Clause to be added to the said Bill for the making the Same Temporary.

*Ordered*

That the Committee for Propositions and Grievances do prepare and bring in a Bill to Establish Rules whereby those in the Administration may legally Act upon apparent approach of the Plague.

*Ordered*

That the Committee for Propositions and Grievances do carry the Resolve for giving One Thousand pound to the Governor as aforesaid up to the Council and desire their Concurrence thereto—

*Resolved*

That application be made to the Governor for his Assent to the said Resolve

*Ordered*

That Mr *Harriſon* have leave to go into the Country.—

A Petition of Sundry Inhabitants of *W<sup>m</sup>burgh* praying That an Imposition may be laid upon the Owners of houses and Lands in the Said Town and parts adjacent or that Some other method may be taken for the Repairing the Highwaies in and about the said Town—

*Resolved*

That the said Petition be refer'd to the consideration of the Com<sup>tee</sup> for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

Adjourned til Eleven a Clock tomorrow morning.

*Friday May the 18<sup>th</sup> 1722.*

**S**EVERAL Claimes from the County of *New Kent* were with the Leave of the House received.

*Ordered*

That the Said Claims be referd to the consideration of the Com<sup>tee</sup> for Publick Claims to Examine the Same and report their Opinions therein to the House.—

*Ordered*

That Mr *Lear*, Mr *Corbin*, and Mr *Braxton* have Leave to be absent til *Tuesday* next.

Mr *Clayton* reports from the Committee for Propositions and Grievances That the Said Com<sup>tee</sup> had had under their consideration Several of the matters to them referd and had agreed upon a report which he read in his place and delivered in at the Table where the Same was again twice read and agreed to as follows

Upon consideration of the Proposition from *King* and *Queen* County That the fees of Country Surveyors may be distrained for or that they may have Liberty to dispose of the Surveys by them made to Such as will pay the Charges of the Same—

*Resolved*

*Resolved*

That the Said Proposition be Rejected.

Upon confideration of the Proposition from the Said County That a Reward may be given for killing Squirrells and Crows.

*Resolved*

That the said Proposition be Rejected.

Upon confideration of the Proposition from *King William* County That the Said County may be divided And upon confideration of the Petition of Several Inhabitants of the Said County praying the Said County may not be divided.—

*Resolved*

That the Same be refer'd to the confideration of the next Seffion of of Affembly.

A Bill for Setling new fferries over *Rapahanoc* and *Pamunkey* Rivers was read the Second time and Several Amendments were made therein.

*Resolved*

That the Bill with the Amendments be Ingroffed.

A Petition of *Miles Cary* Clerk of the Committee for Publick Claimes Setting forth that he is very sick and not able to perform the Duty of his Office and praying leave to Refign the Same to *Miles Cary* jun<sup>r</sup> his fon was presented to the Houfe and read.—

*Ordered*

That *Miles Cary* Jun<sup>r</sup> be admitted Clerk to the said Com<sup>tee</sup> in the room of his ffather and that he give his attendance accordingly.

A Bill for amending the Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandeftine Tranfportation of perfons out of this Colony was read the Second time—

*Resolved*

That the Bill be committed to the Committee for Propositions and Grievances.

A Bill to Enable *francis Smith* to convey certain Intailed Lands to *John Spicer* Gent. in fee Simple upon the Said *John Spicers* Conveying other Lands therein mentioned to the Same Ufes was read the Second time.

*Resolved*

That the Bill be ingroffed—

Adjoined til Eleven a Clock to morrow morning.—

*Saturday May the 19<sup>th</sup> 1722*

**S**EVERAL Claims from the County of *King* and *Queen* were with the leave of the Houfe received

*Ordered*

That the Said Claims be referd to the confideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the Houfe—

Mr *Clayton* reports from the Committee to whom the Bill for amending the Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandeftine Tranfportation of perfons out of this Colony, was committed. Several Amendments made to the Bill which he read in his place and afterwards delivered the Same in at the Table where the Same was twice read and Severally agreed to—

*Resolved*

That the Bill with the Amendments be Ingroffed.

A Bill intituled *an Act for Setling New fferries over Rappahanock and Pamunkey Rivers* was read the third time and an Amendment was made therein.

*Resolved*

That the Bill as amended do pafs.

*Ordered*

*Ordered*

That the Committee for Propositions and Grievances do carry the Said Bill to the Council and desire their Concurrence thereto—

A Bill intituled *an Act to Enable Francis Smith to convey certain Intailed Lands to John Spicer Gent. in fee Simple upon the Said John Spicers conveying other Lands therein menconed to the Same Uses* was read the third time—

*Resolved*

That the Bill do pass—

*Ordered*

That the persons who prepared the Said Bill do carry the Same to the Council and desire their Concurrence thereto—

Mr Clayton reports that the persons appointed to Inspect the Public Goal and to Compute the Charge of the Additional Buildings and Repairs which they should find necessary for the more Safe and convenient keeping of Prisoners committed thereto had inspected the Same and agreed upon a report which he read in his place and afterwards delivered in at the Table where the same was again read.—

*Ordered.*

That the said report do ly upon the Table.

A Petition of Sundry Inhabitants of the Parish of *Christ Church* in the County of *Middlex* praying That no Act may pass for the Augmenting of their Ministers Salary according to a Petition of the Vestry of the Said Parish And that a Law may be made forbiding Vestries under a Penalty to levy more for the Clergy than Sixteen Thousand pound of Tobacco the Salary established by Law—was refer'd from the Governor and Council—

*Resolved*

That the Said Petition be refer'd to the Committee for Propositions and Grievances to Examine the matter thereof and report the Same with their Opinions therein to the House—

Adjorned til Eleven a Clock on *Monday* morning.—

### *Monday May the 21<sup>th</sup> 1722*

A BILL intituled *an Act for amending the Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandestine Transportation of persons out of this Colony* was read the third time—

*Resolved*

That the Bill do pass.—

*Ordered*

That the Committee for Propositions and Grievances do carry the Said Bill to the Council and desire their Concurrence thereto—

Adjorned til Eleven a Clock to Morrow Morning—

### *Tuesday May the 22<sup>d</sup> 1722*

A BILL to Enable *John Blinco* to Sell certain Intailed Lands upon his Setling other Lands to the Same uses was read the first time.

*Resolved.*

That the Bill be read a Second time.—

A Bill for the further Improving the Staple of Tobacco was read the first time—

*Resolved.*

That the Bill be read a Second time.

A Bill for the more effectual Clearing of Rivers and Creeks was read the first time.  
*Resolved*

That the Bill be read a Second time—

A Bill for the building a Church in the Parish of *Accomack* was read the first time—  
*Resolved*

That the Bill be read a Second time.

A Claim of *Catharine Craggs* was with the Leave of the House received

*Ordered*

That the Said Claim be referd to the consideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the House—

A Bill for the amending the breed of Horses was read the Second time—

*Resolved*

That the Bill be committed to Mr *Harrison*. Mr *Robinson* and Mr *Willis*—

A Petition of *John Bates* praying to be Enabled to Sell certain Intailed Lands for the payment of the Debts and Legacies of *John Bates* deceased his ffather, upon his Setling other Lands and Nergro's of Greater Value to the same uses was presented to the House and read.—

*Ordered*

That a Committee be appointed to Examin the matter of the Said Petition and Report the Same with their Opinions therein to the House and It is refer'd to Mr *Clayton*, Mr *Blair*, Mr *Thomas Randolph*, Mr *Lawrence Smith*, Mr *Stith* and Mr *John Thornton*—

*Ordered*

That Mr *W<sup>m</sup> Randolph* have leave to be absent til *Monday* next.

The Treasurers Accounts were laid before the House—

*Ordered*

That the Same do ly upon the Table.

The House proceeded to the consideration of the Report of the Com<sup>tee</sup> appointed to Inspect the Public Goal and the Same was read and is as follows.

The Com<sup>tee</sup> appointed to Inspect the Public Goal have in pursuance of the Order of this House viewed the Goal appointed for keeping Criminals and also the Goal called the General Court Prison for Debtors thereto adjoining And are of Opinion that the Two roomes at the East end of the Criminals Goal, be appropriated for the keeping of Debtors, and the Two roomes at the West end of the Said Criminals Goal and the General Court prison for Debtors be appropriated for the keeping of Criminals.

They have also computed the Charge of making the alteration of the Said Prisons and do find the Same will amount to One hundred Thirty One Pounds

And for rendering the Said Prisons more Secure. It is the Opinion of this Committee That a House be built adjacent to the said Prisons for the abode of the Said keeper thereof with a Yard to be inclosed with a Wall of Brick so as to Enclose the South side of the said Prisons according to the Plan herewith offered to this House, the Charge of building which House and Wall they compute wil amount to £ 228.

*Resolved*

That a Bill be prepared for the making the alterations in the Public Goal and for the building a house for the Keeper and Erecting a Wall pursuant to the Said report

*Ordered*

That the Committee who made the said Report do prepare and bring in the same.—  
 Adjourned til Eleven a Clock to morrow morning—

*Wednesday May the 23<sup>d</sup> 1722.*

MR *Harrison* reports from the Committee to whom the Bill for amending the breed of horses was committed Several Amendments made to the Bill which he read in his place and afterwards delivered the Same in at the Table where the Same was twice read and agreed to

*Resolved*

That the Bill with the Amendments be Ingroffed.

A Bill for the further Improving the Staple of Tobacco was read the Second time and Several amendments were made therein—

*Resolved*

That the Bill with the Amendments be Ingroffed.

A meffage from the Council

That they have agreed to the Refolve for paying three hundred pounds to *William Bird* Elq<sup>r</sup>:

As alfo to the Refolve for giving the Governor the Sum of One Thoufand Pounds to Enable him to make the intended Embaffy to *Albany*.

As alfo to the Refolve for paying xvij pounds 1j Shillings & 11j pence to M<sup>r</sup> *Jn<sup>s</sup> Holloway*

A written Meffage from the Council

*M<sup>r</sup> Speaker and Genil. of the Houfe of Burgefes*:

A Petition having been delivered to us laft Seffion of Affembly by M<sup>r</sup> *Thomas Jones* in behalf of the late *Virginia* Indian Company Together with an Account of Sundry Sums of money Expended by that Company for the Public Service We have Examined the Several Articles charged in the Said Account and compared the Same with the Vouchers produced to us by M<sup>r</sup> *Jones* and As to the Sums charged in the firft third fourth fifth and Sixth Articles of the Said Account being for repairing the fortifications of *Chriftanna* Maintaining the Guard there and the Hoftages of the Southern Indians with their Attendants from the 12th of *November* 1717 to the laft of *July* 1718. We hope we need only remind you that the Houfe of Burgefes in *May* 1718 having refolved to Enable the Government to difcharge its Engagements to the Indian Company for thofe Services—Nothing remains for us but to Certifie That the Said Articles contain a Juft Computation of that Charge—

As to the 2<sup>d</sup> Article charged in the faid Account It doth appear That the Timber and Materials which before the diffolution of the Indian Company were provided for repairing the fort of *Chriftanna* were afterwards by Order of the Government Employed for that purpofe; and Seeing the Said Reparations could not have been made without thofe Materials We think it reafonable that the faid late Company fhould be reimbursed the Charge thereof as Stated in the Said Article.—

The 7<sup>th</sup> Article of the Said Account for maintaining the Hoftages of the Southern Indians and their attendants from the firft of *April* 1717 to the 12<sup>th</sup> of *November* following when the Company was diffolved We doubt not you will think reafonable to Allow when you confider the Occafion of that Expence Thefe Hoftages were delivered here upon a Treaty between this Government and the *Cattawba* Indians who had been for Some time before in Warr with his Majefties Subjects of *South Carolina* and were given as pledges of that Peace, which thofe Indians then promifed for the future to maintain as well with this Colony as with all his Majefties other Subjects on the Continent, and tho the Indian Company under the Propect of the Continuance of the Trade which had been Eftablifhed by Aët of Affembly were willing to eafe the Government of the Charge of maintaining thofe Hoftages yet it would be unreafonable to lay the Burthen of that Expence upon the Members of that Company when they were fo foon deprived of thofe advantages which induced them to it

We have alfo confidered the laft Article of the Said Account for Sending home the Said Hoftages and are of Opinion That the Sum of Twenty pounds charged for that Service is conformable to the Refolution of the Houfe of Burgefes in 1718 That the faid Hoftages fhould be returned in Such a handfome manner as might but preferve a good Underftanding with that People it appearing to us That the Nations of Indians to which thofe Hoftages did belong have ever fince treated the People of *Virginia* with great Civility and friendfhip.

And fince you will perceive by the Order of the King in Council for repealing the Law for regulating the Indian Trade That his Majefty doth recommend the Reimbursement of the Charge and Expence which the Indian Company have been at for the Public benefit

benefit We make no Doubt your Houfe will readily agree to the payment of the Several Sums mentioned in the Account herewith Sent you, being well affured that the Services therein mençoned were of Public Benefit to this Colony.

*Refolved*

That the Said Meffage be confidered tomorrow—

A Bill for the more Effectual clearing of Rivers and Creeks was read the Second time—

*Refolved*

That the Bill be Ingroffed.

*Refolved*

That It is the Opinion of this Houfe That the Governors Prefence in the Government of *New York* during the intended Treaty at *Albany* will be greatly for the benefit of this Colony.

*Refolved*

That an Addrefs be made to the Governor upon the Subject matter of the Said Refolve and It is refer'd to the Committee for Propofitions and Grievances to prepare the Same—

A Bill for the building a Church in the Parifh of *Accomack* was read the Second time

*Refolved*

That the Bill be ingroffed

A Bill to Enable *John Blinco* to Sell certain intailed Lands upon his Setling other lands to the Same Ufes was read the Second time and an Amendment was made therein—

*Refolved*

That the Bill with the Amendment be Ingroffed.

M<sup>r</sup> *Clayton* reports from the Committee for Propofitions and Griev<sup>s</sup> That the Said Committee had had under their confideration Several of the matters to them refer'd and had agreed upon a report which he read in his place and afterwards delivered the Same in at the Table where the Same was again read and agreed to as follows.

Upon confideration of the Petition of the Inhabitants of the City of *W<sup>m</sup>sburgh* and parts adjacent Complaining of the Roads in and near the Said City being much worn and likely to become Unpaffable and praying to be relieved by an Impofition or Some other method as is therein mençoned.

*Refolved*

That a Bill be brought in according to the Prayer of the faid Petition Upon confideration of the Propofition of *Joſeph Ball* from *Lancaſter* County That a certain Number of young men born in this Colony may at the Countries Charge be Sent to One of the Universities in *England* and there maintained til they fhall have received Priests Orders.

*Refolved*

That the faid Propofition be rejected, the Country being not at prefent in a Condition to Comply with it.—

Upon confideration of the Several Petitions of the Inhabitants of *Wilmington* and *Jame's City* Parifhes refer'd by the laft to this Seffion of Affembly relating to the Diffolving *Wilmington* Parifh and praying the Said Parifh may be joined to other Parifhes.

*Refolved*

That a Bill be brought in to diffolve *Wilmington* Parifh and to Join the Same to Neighbouring Parifhes according to the Prayer of the Said Petitions.

*Ordered*

That the Committee for Propofitions and Grievances do prepare and bring in the Said Bills—

A Bill for the Encouraging of Naval Stores was read the firft time

*Refolved.*

That the Bill be read a Second time—

*Ordered*

That a Com<sup>tee</sup> be appointed to Inſpect and Examine the Treafurers Accounts and to make report of their Opinions therein to the Houfe and It is referd to M<sup>r</sup> *Grymes* M<sup>r</sup> *Harriſon* and M<sup>r</sup> *M<sup>c</sup>Carty*.

Adjorned til Eleven a clock to morrow morning

*Thursday*

*Thursday May the 24<sup>th</sup> 1722.*

A CLAIM of *John Slater* was with the leave of the House received  
*Ordered.*

That the said Claim be refer'd to the consideration of the Committee for Public Claims to Examine the Same and report their Opinions therein to the House

A Petition of *William Beverley* Setting forth that certain lands in the County of *Spotsylvania* are by the Will of his father Settled upon him for his life with divers limitations over and praying for many Reasons to be Enabled to Sell the Said Lands in fee Simple was presented to the House and read

*Resolved*

That the Said Petition be Refer'd to the consideration of Mr *Robinson* Mr *Nicholas Smith*, Mr *W<sup>m</sup> Thornton*, Mr *Hawkins* Mr *Braxton* and Mr *Corbin* to examin the Same & report their Opinions therein to the house

*Ordered*

That Mr *Meriwether* Mr *Syme* and Mr *Thomas Randolph* do carry the Resolve for runing the Dividing line between the Counties of *Henrico* and *Hanover* to the Governor and Council and desire their Concurrence thereto

A Bill intituled *an Act for the further Improving the Staple of Tobacco* was read the third time—

*Resolved*

That the Bill do pass

A Bill intituled *an Act for the more effectual clearing of Rivers and Creeks* was read the third time

*Resolved*

That the Bill do pass

A Bill intituled *an Act for amending the breed of horses* was read the Third time and an Amendment was made therein—

*Resolved*

That the Bill as amended do pass

*Ordered*

That the Committee for Propositions and Grievances do carry the Said Bills to the Council and desire their Concurrence thereto—

A Bill for Encouraging of Naval Stores was read the Second time and an Amendment was made therein—

*Resolved*

That the Bill with the Amendment be Ingrossed.

Mr *Robinson* reports that the persons appointed had according to Order Examined the Allegations of the Petition of *W<sup>m</sup> Beverley* and were of Opinion that there is good Cause for leave to bring in a Bill according to the Prayer of the Said Petition—

*Ordered*

That leave be given to bring in a Bill accordingly.

A Bill intituled *an Act for the building a Church in the Parish of Accomack* was read the third time—

*Resolved*

That the Bill do pass.

*Ordered*

That Mr *Ewel*, Mr *Syme*, and Mr *Walk* do carry the Said Bill to the Council and desire their Concurrence thereto—

A Bill Intituled *an Act to Enable John Blinco to Sell certain intailed Lands upon his Selling other Lands to the Same uses* was read the third time.

*Resolved*

That the Bill do pass

*Ordered*

*Ordered*

That Mr *M<sup>c</sup>Carty*, Mr *Ejcridge* Mr *Prefly* and Mr *Hack* do carry the said Bill to the Council and desire their Concurrence thereto—

Then the House proceeded to the consideration of the written Message from the Council And the Same being read.

*Resolved*

That the Accounts of the late Indian Company mentioned in the said Message be refer'd to the Committee for Public Claims to Examine the Same and report their Opinions therein to the House.—

*Ordered*

That the Committee for Propositions and Grievances do go up to the Council and desire to know whether they will Join with this House in an address to be made to the Governor upon the Subject matter of the Resolve. That his presence in the Government of *New York* during the intended Treaty at *Albany* will be of great benefit to this Colony and whether they will appoint—Some of their Members to Join with a Committee of this House in preparing the Said Address.—

Adjourned til Eleven a Clock tomorrow morning.—

*Friday May the 25<sup>th</sup> 1722*

**O**RDERED

That Mr *Craford* have leave to go into the Country.

A Bill intituled *an Act for the Encouraging of Naval Stores* was read the third time—

*Resolved*

That the Bill do pass.

*Ordered*

That the Committee for Propositions and Grievances do carry the said Bill to the Council and desire their Concurrence thereto—

Mr *Clayton* reports from the Committee for Propositions and Grievances That the Said Committee had had under their consideration Several of the matters to them referred and had agreed upon a report which he read in his place, and afterwards delivered in at the Table where the Same was again read and is as follows.

The Committee upon Inspecting the Journal of the last Session of Assembly find the report of the Committee of Elections and Priviledges made on the Petitions of Sundry Inhabitants of *Ejfix* County Complaining of hardships Imposed on them by the Militia Court lately held in the Said County was refer'd by the last to the consideration of this Session of Assembly—

*Resolved*

That the Same is Proper to be considered.

We also find the Disarmed Condition of the Militia. And the Proposition from *New Kent* County That Guns and Swords be provided for the poorer Sort of People who are not able to purchase the Same was refer'd by the last to the consideration of this Session of Assembly with the Governors speech relating to the Disarmed Condition of the Militia—

*Resolved*

That the Same is proper to be considered.

Upon consideration of the Petitions of the Vestry of *Christ Church* Parish in the County of *Middlex* And the Petition of divers Inhabitants of the Said Parish.—

It is the Opinion of the Committee That the Petition of the Vestry is reasonable and proper to be relieved by amending the Parochial Laws.

*Resolved*

That a Bill be prepared accordingly

Upon



Upon confideration of the Propofition from *Surry* County That a Duty of Twenty pounds per head may be laid on all Slaves to be Imported And a Law made for the better Government of thofe already amongft us.—

*Refolved*

That a Duty of forty Shill<sup>s</sup> per head be laid upon all Negroes to be Imported into this Colony and that a Bill be prepared accordingly.

And the Said report was read the Second time—

*Refolved.*

That the Houfe doth agree with the Said Committee That the report of the Committee for Elections and Priviledges made at the laft Seffion of Affembly.—

Upon the Petition of Sundry Inhabitants of the County of *Effex* be [ing] confidered

*Refolved*

That the Same be confidered to morrow—

*Refolved.*

That the Houfe doth agree with the faid Committee That the difarmed Condition of the Militia ought to be confidered—

*Refolved*

That a Bill be prepared for Amending the Law relating to the Militia And It is refer'd to the Committee for Propofitions and Grievances to prepare and bring in the Same—

*Refolved*

That the Houfe doth agree with the Said Committee That a Bill be prepared for amending the Parochial Laws and that the matters Set forth in the Petition of the Veftry of the faid Parifh of *Chrift Church* be provided for in the Said Bill—

*Ordered*

That the Committee for Propofitions and Grievances do prepare and bring in the Said Bill—

*Refolved.*

That the Houfe doth not agree with the faid Committee That a Bill be prepared for the laying a Duty of florty fhillings per head upon Negro's.—

A Bill for diffolving the Parifh of *Wilmington* and for Joining the Same to other Parifhes was read the firft time.—

*Refolved.*

That the Bill be read a Second time on *Tuesday* next.—

M<sup>r</sup> *Clayton* reports That the perfons appointed to Examin the matter of the Petition of *John Bates* praying to be Enabled to Sell certain Intailed Lands upon his Settling other Lands to the Same Ufes, had had the Same under their confideration and were of Opinion that the Lands propofed to be fetled are not of Equal Value with the faid Intailed Lands—

*Refolved*

That the faid Petition be rejected.

A Bill for the Vefting the fee Simple Eftate of certain Lands in *W<sup>m</sup> Beverley* of the County of *King* and *Queen* gen. upon certain confiderations therein menconed was read the firft time.

*Refolved*

That the Bill be read a Second time—

A meffage from the Council.

That they have agreed to join in an Addrefs to the Governor upon the Subject matter of the Meffage Sent to them Yefterday and have appointed two of their members to join with Such perfons as this houfe fhall appoint to prepare the fame and that the Committee of the Council will meet the Committees of this Houfe to morrow morning at eight a Clock in the Conference Chamber.—

*Ordered.*

That a Com<sup>tee</sup> be appointed to join with a Com<sup>tee</sup> of the Council in p<sup>r</sup>paring the Said Addrefs and it is refer'd to M<sup>r</sup> *Clayton* M<sup>r</sup> *Grymes* M<sup>r</sup> *Efcridge* and M<sup>r</sup> *Braxton*—

Adjourned til Eleven a Clock to morrow morning—

*Saturday*

*Saturday May the 26<sup>th</sup> 1722.*

**M**<sup>R</sup> *Harriſon* reports That the Committee appointed to Examine the Amounts of the late Indian Company had had the Same under their conſideration and agreed upon a report which he read in his place and afterwards delivered in at the Table where the Same was again read.

*Reſolved*

That the Said report be conſidered on *Tueſday* next.

A Bill for the Veſting the free Simple Eſtate of certain Lands in *W<sup>m</sup> Beverley* of the County of *King* and *Queen* Gent. upon certain conſiderations therein menſioned was read the Second time and Several Amendments were made therein—

*Reſolved*

That the Bill with the Amendments be ingroſſed.

*M<sup>r</sup> Clayton* reports from the Committee for propoſitions and Grievances That the ſaid Committee had conſidered the Grievance from *Lancaſter* County (Complaining that the Bounds of their County on the Side of *Northumberland* County have never been regularly laid out and praying to be redreſſed therein) to them refer'd and were come to a reſolution thereupon which he read in his place and delivered in at the Table where the ſame was twice read and agreed to as followeth—

*Reſolved*

That *M<sup>r</sup> Dan<sup>l</sup> M<sup>c</sup>Carty* *M<sup>r</sup> George Eſcridge*, *M<sup>r</sup> Charles Barber*, *M<sup>r</sup> Will<sup>m</sup> Woodbridge* and *M<sup>r</sup> Charles Grymes* or any three of them with the Surveyors *M<sup>r</sup> Coppidge* and *M<sup>r</sup> Newton* or One of them do meet and (having regard to all Evidences and former Orders to be produced) lay out the Dividing bounds between the Said Counties at the Equal Charge of each County and to make report of their proceedings to the next Seſſion of Aſſembly.—

*Ordered*

That *M<sup>r</sup> W<sup>m</sup> Ball* *M<sup>r</sup> James Ball*, *M<sup>r</sup> Prefley* and *M<sup>r</sup> Hack* do carry the Said Reſolve to the Governor and Council and deſire their Concurrence thereto

A Bill to oblige Ships coming from places infected w<sup>th</sup> the plague to perform their Quarantine was read the firſt time—

*Reſolved*

That the Bill be read a Second time—

*M<sup>r</sup> Clayton* reports that the Com<sup>tee</sup> appointed to Join with two Members of the Council in preparing the Addreſs to the Governor had met them for that purpoſe and that they informed the ſaid Committee That the Council were of Opinion, they could not handſomly addreſs the Governor upon the Subject matter of the Reſolve of this Houſe until this Houſe had conſidered the Governors former Journey to *New York* and his Services in obtaining the Preliminary Articles., which are to be the foundation of the preſent Treaty.

*Reſolved.*

That the Houſe will conſider the ſaid report on *Tueſday* next.

The Petition of *Richard Hickman* keeper of the Capitol praying that a flag and Cuſhions may be provided for the Capitol was read.

Upon a motion made

*Ordered*

That a Committee be appointed to inquire what Ornaments or other things are neceſſary to be provided for the uſe of the Capitol and the Aſſembly and to report the Same with a Computation of the Charge thereof to the houſe and It is refer'd to *M<sup>r</sup> Clayton*, *M<sup>r</sup> M<sup>c</sup>Carty*, *M<sup>r</sup> Robinſon*, *M<sup>r</sup> Grymes* and *M<sup>r</sup> Willis*.

*Reſolved.*

That the conſideration of the report of the Committee for Elections and Privileges made at the laſt Seſſion upon the Petition of Sundry Inhabitants of the County of *Effex* be refer'd til *Tueſday* next.

Adjourned til Eleven a Clock on *Monday* morning.

*Monday*

Monday May the 28<sup>th</sup> 1722.

**O**RDERED

That Mr *Hawkins* have leave to go into the Country.

A Bill for the Vesting the free Simple Estate of certain Lands in W<sup>m</sup> *Beverley* of the County of *King* and *Queen* gen. upon certain considerations therein mentioned was read the third time

*Resolved Nemine Contradicente*

That the Bill do pass.

*Ordered*

That Mr *Clayton*, Mr *Harrison*, Mr *Willis*, Mr *Robinson* and Mr *Blair* do carry the Bill to the Council and desire their Concurrence thereto

A Bill to oblige Ships coming from places infected with the Plague to perform their Quarentine was read the Second time and Several Amendments were made therein—  
*Resolved.*

That the Bill with the Amendments be Ingrossed.

A Message from the Council—

That they have passed the Bill intituled *an Act for the more effectual clearing of River's and Creeks.*

And also the Bill intituled *an Act to Enable Francis Smith to Convey certain Intailed Lands to John Spicer gen in free Simple upon the Said Spicers conveying other lands therein mentioned to the Same uses*

And that they have made Several Amendments to the Bill Intituled *an Act concerning Servants and Slaves and for the better Government of Convicts Imported and for the further preventing the Clandestine Transportation of persons out of this Colony* to which they desire the Concurrence of this House—

And that they have agreed to the Resolve for running the dividing line between the Counties of *Hannover* and *Henrico*

The House proceeded to the Immediate consideration of the Amendments made by the Council to the Said Bill—and The said Amendments being Severally read were upon the Question agreed to—

*Ordered*

That the Committee for Propositions and Grievances do acquaint the Council That this House have agreed to the Said Amendments

Mr *Harrison* reports from the Com<sup>tee</sup> for Public Claims That the said Com<sup>tee</sup> had had Several of the matters to them refer'd under their Consideration and had drawn up a report thereupon which he delivered in at the Table.—

*Ordered*

That the Said report do ly upon the Table.

A Bill for the preventing of Swine going at large within the City of *W<sup>m</sup>sburgh* or the Limits thereof was read the first time

*Resolved.*

That the Bill be read a Second time—

A Petition of the freeholders and Inhabitants of the City of *Williamsburgh* praying that this house will make such proper Application to the Governor as they shall think fit, to Induce him to Incorporate the Inhabitants of the Said City according to the Act of Assembly directing the building the Capitol and the Said City was presented to the House and read.

*Ordered*

That the said petition do ly upon the Table.

Adjourned til Eleven a Clock to morrow morning—

*Tuesday*

Tuesday May the 29<sup>th</sup> 1722.

**M**R Corbin reports from the Committee for Priveleges and Elections That the Said Committee had had the Returns of Several Writs for Election of Burgeffes to Serve in this prefent Genl Assembly for the Counties of *Glofter King* and *Queen Warwick, New Kent, and Northampton*, under their confideration and that they were of Opinion That *Giles Cock*, is duly returned for the County of *Glofter*, That *John Thornton* and *Thomas Maffey* are duly returned for the County of *New Kent* and that *Thomas Harmanfon* is duly returned for the County of *Northampton*.

And that it appeared to the Said Committee That *Richard Johnfon* is returned for the County of *King* and *Queen*. but that there is an Omiffion of the word [*King*] in the faid Return And that Mr *Nathaniel Hoggard* is returned for the County of *Warwick*, but that there is no Endorfement on the back of the Writ as the Law directs which they Submitted to the confideration of the Houfe—

*Ordered*

That the Clerk do amend the Returns of the Said Writs.—

A Bill Intituled *an Act to oblige Ships* coming from places infected w<sup>th</sup> the plague to perform their Quarentine—was read the Third time.

*Refolved*

That the Bill do pafs.

*Ordered*

That the Committee for Propofitions and Grievances do carry the Bill to the Council and defire their Concurrence thereto—

A Bill for diffolving the Parifh of *Wilmington* and for Joining the Same to other Parifhes was read the Second time.—

*Refolved*

That the Bill be Ingroffed.

A Claim of *Richard Richardfon* for *Grazea* his Negro man Slave convicted of Burglary and felony and valued by the Court before which he was tried at twenty five pounds Current money was prefented to the Houfe.

*Refolved*

That the Houfe will take the Said Claim into confideration when the report of the Committee for Public Claims fhall be confidered.

Then the Houfe proceeded to the confideration of the report of the Committee appointed to Examin the Accounts of the late Indian Company and the Said report was read and agreed to with an Amendment as followeth

*Refolved*.

That the firft and Second Articles of the Said Acco<sup>t</sup> amounting to One hundred and Seventy pounds Eighteen Shillings and nine pence being for fortifying ffort *Chriftanna* be Rejected.

*Refolved*

That the Sum of One hundred and Six pounds nineteen Shillings and Six pence be allowed the late Indian Company for paying the Guards at ffort *Chriftanna* from the 13<sup>th</sup> of *November* 1717 to the laft of *July* 1718.

*Refolved*

That the Sum of One hundred and Ten pounds Eighteen fhill<sup>es</sup> and Six pence be Allowed the Said Company for maintaining Eleven Hoftages and their Attendants from the 13<sup>th</sup> of *November* 1717 to the laft of *July* 1718.

*Refolved*

That the 7<sup>th</sup> Article of the faid Acco<sup>t</sup> amounting to ninety Six pounds One Shilling for maintaining the Eleven Hoftages and their Attendants from the firft of *April* 1717 to the 13<sup>th</sup> of *November* following be rejected.

*Refolved*

*Resolved*

That the Sum of Twenty pounds be Allowed the Said Company for their Expences in Sending home the Said Hoftages.

*Resolved*

That the Sum of Two hundred and thirty Seven pounds Eighteen shill<sup>s</sup> out of the Public money in the hands of *Peter Beverly Esq<sup>e</sup>* be paid to *Mr Thomas Jones* for the ufe of the late *Virginia* Indian Company to discharge the Engagements of the Houfe of Burgeff<sup>s</sup> to the Government relating to the Said Company.—

*Ordered*

That *Mr Clayton*, *Mr M<sup>c</sup>Carty*, *Mr W<sup>m</sup> Randolph*, *Mr Grymes* and *Mr Corbin* do carry the Said Refolve to the Council and defire their Concurrence thereto—

Then the Houfe proceeded to the confideration of the report of the Committee appointed to Join w<sup>th</sup> a Com<sup>tee</sup> of the Council in preparing an Addrefs to the Governor.—

*Resolved*

That the Sum of Three hundred pounds be given to the Governor in confideration of his Journey to *New York* in the year 1717 and his Services in Setling the Preliminary Articles which are the foundation of the Treaty intended to be made at *Albany* this Sum<sup>mer</sup>—

*Ordered.*

That the Committee for Propositions and Grievances do carry the faid Refolve to the Council and defire their Concurrence thereto—

*Resolved*

That the confideration of the report of the Committee for Elections and Privileges appointed for this day be adjorned til to morrow.

Adjorned til Eleven a Clock to morrow morning—

*Wednesday May the 30<sup>th</sup> 1722.*

**A** PETITION of *Lawrence Smith Jun<sup>r</sup>* praying to be Enabled to Sell certain In-tailed lands for the payment of his Juft Debts upon his Setling other Lands of greater value to the Same Ufes was prefented to the Houfe and read.

*Ordered.*

That a Committee be appointed to Examine the matter of the Said Petition and report the Same with their Opinions therein to the Houfe and It is referd to

*Mr Corbin*.....*Mr W<sup>m</sup> Thornton*

*Mr Covington*.....and

*Mr Cook*.....*Mr Hawkins*

*Ordered*

That *Mr W<sup>m</sup> Thornton* have leave to go home.

A Bill for the preventing of Swine going at large within the City of *W<sup>m</sup>burgh* or the Limits thereof was read the Second time—

And an Amendment was made therein

*Resolved.*

That the Bill with the Amendment be ingroffed

A Bill for making the Public Prifons in *W<sup>m</sup>burgh* more convenient and for building a houfe for the keeper thereof was read the firft time and Several Blanks in the Said Bill were filled up—

*Resolved*

That the Bill be read a Second time—

A Bill for diffolving the Parifh of *Wilmington* and for Joining the Same to other Parifhes was read the third time—

*Resolved.*

That the Bill do pafs.

*Ordered*

*Ordered*

That the Com<sup>tee</sup> for Propositions and Grievances do carry the Bill to the Council and desire their Concurrence thereto—

The order of the day for taking the report of the Com<sup>tee</sup> for Privileges and Elections made at the last Session upon the Petition of Sundry Inhabitants of *Effex* County into consideration being read together with the said report.—

*Resolved.*

That an Address be made to the Governor upon the Subject matter of the Said report and It is referd to the Com<sup>tee</sup> for Privileges and Elections to prepare and draw up the Same.—

A message from the Council

That they have made Several Amendments to the Bill intituled *an Act for the building a Church in the Parish of Accomack* And to the Bill intituled *an Act to Enable John Blinco to Sell certain Intailed Lands upon his selling other Lands to the Same uses* to which they desire the Concurrence of this House.

And that they have passed the Resolve for laying out the Bounds between the Counties of *Lancaster* and *Northumberland*.

The said Amendments were severally read and agreed to

*Ordered*

That the Committee who carried up the said Bills to the Council do acquaint the Council That this House have agreed to the Amendments by them made to the Said Bills.—

Upon a motion after a Debate—

*Resolved*

That the Salaries of the Burgeffs and Charges of this Session of Assembly be paid out of the public money in the hands of *Peter Beverley* Esq<sup>r</sup> after the rate of Ten shillings  $\text{p}$  hundred for Tobacco

*Resolved*

That the Sum of fifty pounds be paid out of the Public money in the hands of *Peter Beverley* Esq<sup>r</sup> to the Speaker of this House for his Service this Session.—

*Resolved*

That the Sum of Twenty pounds be paid out of the Public money in the hands of *Peter Beverley* Esq<sup>r</sup> to Mr *Clayton* Chairman of the Com<sup>tee</sup> for Propositions and Grievances for his Service this Session

*Ordered*

That Mr *Harriſon*, Mr *Blair*, Mr *William Randolph* and Mr *Cole* do carry the Said Resolves to the Council and desire their Concurrence thereto

The Petition of the freeholders and Inhabitants of the City of *W<sup>m</sup>sburgh* praying That this House would make application to the Governor to Incorporate the Inhabitants of the Said City being read.

*Resolved*

That an Address be made to the Governor upon the Subject matter of the Said Petition and It is referd to

Mr *Clayton* Mr *Blair*

and

Mr *Jones*.

to prepare and draw up the Same—

A message from the Council—

That they have made Several Amendments to the Bill intituled *an Act for the further Improving the Staple of Tobacco* to which they desire the Concurrence of this House—

And that they have passed the Resolve for paying the Governor Three hundred pounds.—

And also the Resolve for paying Two hundred Thirty Seven pounds, Eighteen Shillings to Mr *Thomas Jones* for the Use of the late *Virginia* Indian Company.—

Adjourned til Eleven a Clock to morrow morning

*Thursday*

*Thursday May the 31<sup>th</sup> 1722.*

**A** MESSAGE from the Council That they have passed the Bill Intituled *a Act to oblige Ships coming from places infected with the Plague to perform their Quarentine* without any Amendment—And that they have made Several Amendments to the Bill Intituled *an Act for the encouraging Naval Stores* to which they desire the Concurrence of this House.—

A Bill intituled *a Act for preventing Swine going at large within the City of Williamsburgh or the Limits thereof* was read the third time—

*Resolved*

That the Bill do pass.

*Ordered*

That Mr Clayton, Mr Blair, and Mr Jones do carry the Bill to the Council and desire their Concurrence thereto—

A Bill for making the Public prisons more convenient and for Building a House for the Keeper thereof was read the Second time

*Resolved.*

That the Bill be ingrossed—

Then the House proceeded to the consideration of the Amendments made by the Council to the Bill Intituled *an Act for the further Improving the Staple of Tobacco* and the Same were severally Twice read and agreed to.—

*Ordered*

That the Com<sup>tee</sup> for Propositions and Grievances do acquaint the Council That this House have agreed to the Amendments by them to the Said Bill—

Mr Grymes reports That the persons appointed had according to order Examined the Treasurers Accounts and that they found the Same truly Stated and that the Ballance of the Said Account including the One Moiety of two yeares Interest of the ten Thousand Pounds lent out by Act of Assembly appeared to the said Com<sup>tee</sup> to be Twelve Thousand One hundred and fifty One pounds two Shillings and Two pence—

A debate arising upon the said Report, for the Treasurer to Account for all the Interest that hath and shall arise from the 1<sup>st</sup> Ten Thousand Pounds.

*Resolved*

That the Debate be adjourned til to morrow.

Then the House proceeded to the consideration of the Amendments made by the Council to the Bill intituled *an Act for Encouraging Naval Stores* and the Same were severally twice read and agreed to—

*Ordered*

That the Committee for Propositions and Grievances do acquaint the Council that this House have agreed to the Amendments by them made to the Said Bill—

Then the House proceeded to the consideration of the Report of the Committee for Publick Claimes and the Same being read was with Several Amendments agreed to by the House;

Adjourned til Eleven a Clock to morrow morning

*Friday June 1<sup>mo</sup> 1722.*

**A** BILL intituled *an Act for making the Public prisons more convenient and for building a house for the Keeper thereof* was read the third time—

*Resolved*

That the Bill do pass

*Ordered*

That the Committee who prepared the Said Bill do carry the same to the Council and desire their Concurrence thereto—

A petition of *Harry Beverley* Setting forth That a Bill intituled *an Act for vesting the fee Simple of certain lands in W<sup>m</sup> Beverley of the County of King and Queen gen. upon certain considerations therein menconed* had passed this House without his knowledge and to his great Damage and that the Same was now depending before the Council and praying to be heard upon his Objections to the Said Bill was presented to the House and read.—

*Resolved*

That the Said Petition is false and Scandalous and that the Same be rejected.—

Mr *Corbin* reports That the persons appointed had according to order drawn up an Address to the Governor upon the Subject matter of the report of the Committee for Privileges and Elections made at the last Session upon the Petition of Sundry Inhabitants of the County of *Effex* which he read in his place and afterwards delivered in at the Table where the Same was twice read and agreed to with Some Amendments as follows.—

To the Hon<sup>ble</sup> Alexander Spotswood his Majesty's Lieut. Govern<sup>r</sup>. of Virginia—

*The humble Address of the House of Burgeffs*.

We his Majesty's most dutiful and Loial Subjects the Burgeffs now Affembled beg leave to represent to your Honor That many of the Inhabitants of *Effex* County have by their petition prefer'd to this House Complained of divers hardships Imposed on them by the Rigorous proceedings of the Court Marshhal held in the Said County the Sixth day of *October 1720* by which many grievous fines have been laid on them. And as we have had long experience of your Honors Disposition to Mildness and Clemency in your Administration We cannot but think Such practices will meet with your Disapprobation and humbly intreat your Honor will be pleased to inquire into the Proceedings of the Said Court and remit the fines Imposed on Such persons who have not offended in Contempt of the Authority of Government And as we have great reason to believe Such Severities are contrary to your order So we hope Your Honor will Shew your Dislike and discountenance Such persons as have acted contrary to the true intent of the Law—

*Resolved*

That the Said Address be signed by the Speaker and presented by Mr *Corbin* Mr *Presly* Mr *Esbridge*, Mr *Waller* Mr *Willis*, Mr *Cook*, Mr *Covington* Mr *Mason* and Mr *Richard Johnson*—

Mr *Clayton* reports That the Committees of the Council and this house appointed to draw up an Address to the Governor upon the Subject matter of the Vote That his presence in the Government of *New York* during the intended Treaty at *Albany* will be of great benefit to this Colony, had accordingly drawn up an Address which he read in his place and delivered in at the Table where the Same was twice read and agreed to.—

*Ordered*

That the Members of this House who assisted in drawing up the said Address do carry the Same to the Council and desire their Concurrence thereto—

A Message from the Council That They have agreed to the address to be presented to the Governor to acquaint him that it is the Sense of both houses That his presence at *Albany* during the intended Treaty will be of great benefit to this Colony.—

The Said Address is in these words.

To the Hon<sup>ble</sup> Alexander Spotswood his Majesty's Lieut. Govern<sup>r</sup>. of Virg<sup>a</sup>

*The humble Address of the Council and House of Burgeffs*

*May it please Your Honor.*

We his Majesty's most dutiful and Loial Subjects the Council and Burgeffes now assembled having had under our consideration the Settling a Peace with the five Nations of Northern Indians recommended to us in your Honors Speech at the Opening this Session Do think it highly necessary That a Treaty for that purpose be had at *Albany* upon the Preliminaries concluded by your Honor which have the Unanimous approbation of both houses of Assembly.

From



From the Experience of near Twelve yeares of Yo<sup>r</sup> Honors Adminiftration we are very fencible of your great Application and difcerning Judgment in all the Concerns of Government and as we have obferved more particular fkill and Dexterity in your Managing the Indian Affaires We think it will greatly conduce to the Eftablifhing an honorable and lafting Peace if your Honor will be pleafed to prefide in the Negotiations at *Albany* by which they will be under the influence of your more Immediate directions And as we believe it will Redound fo much to the Safety and Honor of this Country. We hope your Honour will gratifie our unanimous Defire.—

*Refolved.*

That this Addrefs be figned by the Speaker and that the perfons who affifted in drawing the Same up do carry it again to the Council

The Houfe Refumed the adjourned Debate upon the report made on the Treafurers Accounts—

*Refolved*

That the Said Accounts do pafs.

*Ordered*

That M<sup>r</sup> *Grymes*, M<sup>r</sup> *Harrifon* and M<sup>r</sup> *Waller* do carry the faid Accounts to the Council and acquaint them That they have paffed this Houfe—

Adjourned til Eleven a Clock tomorrow morning.

*Saturday June the 2<sup>d</sup> 1722*

**R**ESOLVED

That the Sum of fifty fhillings be paid out of the Public money in the hands of *Peter Beverley* Efqr<sup>t</sup> to *John Randolph* Clerk of the Houfe of Burgeffes for each Copy of the Laws and Proportions of this Seffion to be fent to the refpective Counties in this Colony accounting [amounting] in the whole to Sixty Seven pounds Ten Shillings—

*Ordered*

That M<sup>r</sup> *Robinfon*, M<sup>r</sup> *Braxton* and M<sup>r</sup> *Waller* do carry the Said Refolve to the Council and defire their Concurrence thereto—

M<sup>r</sup> *Corbin* reports That the perfons appointed had prefented the Addrefs to the Governor upon the Subject matter of the report of the Committee for Privileges and Elections concerning the *Effex* Petition and that he was pleafed to return the following Anfwer—

I will Inquire into the proceedings of the *Effex* Court Martial and if I find them unwarrantable I fhall immediately withdraw my Commiffion from Such Officers as may appear to be the Tranfgreffors. But however matters may be proved Seeing this Houfe is pleafed to favor the Cafe of the Petitioners I will fhew them all the Lenity that is now defired Even tho' I extend towards them more than I think they deferve—

A meffage from the Council

That they have made Several Amendments to the Bill intituled *an A<sup>t</sup> for felling new fferries over Rappahanoc and Pamunkey River* And to the Bill Intituled *an A<sup>t</sup> for diffolving the Parifh of Wilmington and for joining the Same to other Parifhes* to which they defired the Concurrence of this Houfe—

And that they have paffed the Refolve for paying the Burgeffes and Charges of this Seffion of Affembly in mony.

And the Refolve for paying fifty pounds to the Speaker

And alfo the Refolve for paying Twenty pounds to M<sup>r</sup> *Clayton* Chairman of the Committee for Propofitions and Grievances.

And that they had alfo paffed the Treafurers Accounts.

M<sup>r</sup> *Clayton* reports from the Committee appointed to draw up an Addrefs to the Governor to Incorporate the Inhabitants of *W<sup>m</sup>sburgh*

An

An addrefs agreed upon by the Committee which he read in his place and afterwards delivered the Same in at the Table where the Same was Twice read and agreed to and is as followeth—

*To the Hon<sup>ble</sup> Alexander Spotswood his Majest<sup>y</sup>. Liev<sup>t</sup>. Govern<sup>r</sup>. of Virginia.*

*The humble Addrefs of the Burgeffs. House of Assembly.—*

*May it please yo<sup>r</sup> Honor.*

We his Majest<sup>y</sup>. most dutiful and Loial Subjects the Burgeffs. of this Assembly humbly beg leave to represent to your Hono<sup>r</sup>. the great Satisfaction we have in beholding the prosperous Condition of the Capital City of this Colony flourishing under your auspicious Governm<sup>t</sup>. That place which a few yeares Since could hardly find reception for One half of our Body can now commodiously entertain the whole. The Number of the Inhabitants and the great Concourse of People resorting to this place we humbly conceive require a Strict regulation of Government and a Spedier method of proceeding than in the Ordinary Course of the Law and also a better manner of furnishing Provisions and necessaries for their Subsistence than is comonly practiced in this Country.—

We are assured the People now Inhabiting this City of W<sup>m</sup>s<sup>burgh</sup> are in a Capacity of Supporting the honor and Charge of a Corporation and as a former Affembly have thought fit to Impower the Govern<sup>r</sup>. of this Colony to Incorporate the freeholders and Inhabitants of the said City in Such manner as he should judge proper. We humbly hope Your Honor who alwaies Study the benefit and advantage of his Majest<sup>y</sup>. Subjects committed to your Charge will be pleased to Extend the Roial favour to the Inhabitants of the Said City and grant his Majest<sup>y</sup>. Letters Patents for Incorporating them with Such Powers franchises Liberties and Privileges and in Such maner as you in your great wisdome shal think fit.—

*Resolved*

That the Said Addrefs be presented by Mr Clayton Mr Blair Mr Jones, Mr Robinson, Mr W<sup>m</sup>. Randolph, Mr Stith, Mr Corbin Mr Merewether, Mr Braxton, Mr M<sup>c</sup>Carty and Mr Mumford

Mr Corbin reports That the Committee appointed to Examin the matter of the Petition of *Lawrence Smith* Junior had accordingly Examined the Same and were of Opinion That the Lands of the Petitioner in the County of *Spotsylvania* are of less value than the Land called *Beach Swamp* in the County of *Gloster*.

*Resolved*

That the Said Petition be rejected.

A Message from the Council That they have made Some Amendments to the Bill intituled *an Act for the Vesting the fee Simple Estate of certain Lands in W<sup>m</sup>. Beverley of the County of King and Queen gen upon certain considerations therein mentoned* to which they desire the Concurrence of this House—

Several Allowances in mony were made to the Officers of the Affembly and others & added to the book of Claimes.

*Ordered*

That the Committee for Public Claimes do carry the Said book to the Council and desire their Concurrence thereto—

The House then proceded to the confideration of the Amendments made by the Council, to the Bill Intituled *an Act for jelling new fferries over Rappahanoc and Pamunkey Rivers* and the Same being Severally read a Second time were agreed to—

*Ordered*

That the Committee for Propositions and Grievances do acquaint the Council that this House have agreed to the Said Amendments.

The House also took the amendments made by the Council to the Bill Intituled *an Act for Vesting the fee simple Estate of certain Lands in W<sup>m</sup>. Beverley of the County of King and Queen gent upon certain considerations therein mentoned into their confideration* and the Same were Severally read a Second time and agreed to.

*Ordered*

*Ordered*

That Mr Clayton and Mr Robinson do acquaint the Council That this House have agreed to the Said Amendments.

An Ingrossed Bill from the Council Intituled *an Act for punishing Mutinous and disobedient Seamen and for the more speedy determination of Controversies arising between Masters and their Crews* was read the first time.

*Resolved*

That the Bill be read a Second time—

Adjourned til Eleven a Clock on *Monday* morning.—

*Monday June the 4<sup>th</sup> 1722.*

**A**N Ingrossed Bill from the Council Intituled *an Act for punishing Mutinous and disobedient Seamen and for the more speedy determination of Controversies arising between Masters of Ships and their Crews* was read the Second time—

*Resolved*

That the Bill be read a third time

The said Bill was read the third time and Some amendments were drawn up at the Table and agreed to—

*Resolved.*

That this House doth agree to the said Bill with the Amendments.

*Ordered.*

That Mr Clayton, Mr Harrison and Mr Blair do carry the Bill to the Council and acquaint them that this House hath agreed to the said Bill with the Amendments annexed.

A Message from the Council

That they have made some Amendments to the Bill intituled *an Act for the preventing Swine going at large within the City of Williamburgh or the Limits thereof* to which they desire the Concurrence of this House—

And that they have passed the Resolve for paying the Clerk of this House Sixty Seven pounds Ten shillings for the Copies of the Laws and Propositions of this Session—

And that they having applied to the Governor to know his pleasure when both houses may attend him with their Address concerning the Embassy to *Albany*

His Honor had appointed both houses to attend him to morrow at Eleven a Clock in the forenoon in the Council Chamber—

*Resolved*

That this House will attend the Governor accordingly—

Adjourned til to morrow morning Ten a Clock.

*Tuesday June the 5<sup>th</sup> 1722.*

**T**HE House proceeded to the consideration of the Amendments made by the Council to the Bill Intituled *an Act for the preventing Swine going at large within the City of Williamburgh or the Limits thereof.*—

And the said Amendments were Severally read a Second time and agreed to.

*Resolved*

That a Message be Sent to the Council to acquaint them that this house hath agreed to the Said Amendments and that Mr Clayton Mr Blair and Mr Jones do go up with the Message—

A Message from the Council That they have agreed to the amendm<sup>ts</sup> made by this House to the Bill Intituled *an Act for punishing mutinous and disobedient Seamen*  
and

*and for the more Speedy Determination of Controversies arising between Masters of Shippes and their Crews.*

And that they have made an Addition to the Bill intituled *an Act for making the Publick Prisons in Williamburgh more convenient and for building a House for the Keeper thereof* to which they desire the Concurrence of this House.

And the Said Addition was read a Second time and agreed to by the House.—

*Resolved*

That a Message be Sent to the Council to Acquaint them That this House hath agreed to the Addition by them made to the Said Bill and that Mr Clayton and Mr Blair go up with the message—

Upon a motion

The House was called over and the absent Members Excused.

Mr Speaker reports That the Governor had been attended by the Council and this House with the Address of both houses concerning the Embassy to Albany, and that after the Speaker had read the Address to the Governor he was pleased to make this answer—

*Gentlemen*

I thank you for the Honor you do me in Judging me Equal to my Charge and with for nothing more than to Convince you of my affection to the Service of this Colony; and in order to give Some proof thereof I readily Acquiesce in what both houses now desire And shall undertake the Journey how apprehensive soever I am that my own particular Concerns must suffer by so long an absence.—

Then the House proceeded to the consideration of the Amendments made by the Council to the bill intituled *an Act for dissolving the Parish of Wilmington and for Joining the Same to other Parishes*

And the Said Amendments were Severally read a Second time and disagreed to by the House.

*Resolved*

That a message be Sent to the Council to acquaint them that this House has disagreed to the Amendments by them made to the said Bill and that the Committee for Propositions and Grievances do go up with the Message.

Mr Clayton reports That the Governor had been attended with the Address of this House to Incorporate the freeholders and Inhabitants of *W<sup>m</sup>sburgh* and that he was pleased to say.

That as much as in him lay he would endeavor to answer the Expectation of this House—

A message from the Governor by Mr Robertson—

Mr Speaker.

I am commanded by the Governor to return to this House the Resolves for running the dividing line between the Counties of *Henrico* and *Hanover* and the Counties of *Lancaster* and *Northumberland* and to acquaint this House That he had Signed his Assent to the Same—

A Message from the Council that they had agreed to the book of Claims and had also obtained the Governors assent to the Same—

*Order'd*

That a Com<sup>tee</sup> be appointed to Examin the Inrolled Bills and it is refer'd to

Mr W<sup>m</sup>. Robinjon..... Mr Stih and

Mr Boujsh..... Mr John Thornton—

*Ordered*

That a Committee be appointed to proportion the Public Levy and it is referd

Mr W<sup>m</sup>. Randolph..... Mr W<sup>m</sup>. Ball &

Mr Escribde..... Mr Tho. Randolph.—

Mr Clayton reports that the persons appointed had according to order Inquired what Ornaments or other things are necessary to be provided for the use of the Assembly

and

and Capitol and had made a Lift of Several things which they found to be wanting the Charge of which they computed One hundred Twenty Eight pounds Ten shillings Sterling and he delivered the Said Lift in at the Table where the Same was read.— and thereupon

*Resolved*

That the Sum of One hundred And Eighty pounds out of the public money in the hands of *Peter Beverley Esq<sup>r</sup>* be paid to *Mr John Holloway Mr John Clayton* and *Mr Archi: Blair* to be by them laid out in providing the following things *viz<sup>t</sup>* A Mace, a Gown for the Speaker, and a Gown for the Clerk of the Houfe of Burgefles; and a Bible and Common Prayer book in folio forty Common prayer books in Octavo, five douz: Cushions of Green Cloth and three douz. leather Chairs for the use of the Affembly; a Bell for the use of the Affembly and Gen<sup>l</sup> Court, and a flag for the Capitol, and that the Said Sum be accounted for [to] the next affembly.

*Ordered*

That the persons appointed to make the said Inquiry do carry the said Resolve to the Council and desire their Concurrence thereto.—

Adjourned til Eleven a clock to morrow morning

*Wednesday June the 6<sup>th</sup> 1722.*

**A** MESSAGE from the Council That they have made an Amendment to the Bill intituled *an Act for amending the breed of horses* to which they desire the Concurrence of this house

The Said Amendment was read a Second time and agreed to by the Houfe

*Resolved*

That a message be sent to the Council to acquaint them That this Houfe hath agreed to the Amendment by them made to the Said Bill and that *Mr Waller* and *Mr Simmonds* do go up with the message.—

An Ingrossed Bill from the Council intituled *an Act for enforcing and rendering more Effectual the Treaties already made or hereafter to be made with fforrein Indians* was read the first time—

*Resolved*

That the Bill be read a Second time

The said Bill was read the Second time

*Resolved*

That the Bill be read a third time tomorrow

*Resolved*

That the Sum of thirty pounds out of the public mony in the hands of *Peter Beverley Esq<sup>r</sup>* be paid to *Mr John Holloway Mr John Clayton* and *Mr Arch: Blair* to be by them laid out in providing the following Particulars for the use of the Council and Gen<sup>l</sup> Court *viz<sup>t</sup>*.

A Gown for the Clerk of the General Affembly

A Luftre for the Council Chamber

A Luftre of Lefs Size

A large glafs Lanthorn and four glafs branches for the General Court and thirteen Cushions of green Cloth.

And that the said Sum be accounted for to the next Affembly.

*Ordered.*

That *Mr Clayton, Mr M<sup>c</sup>Carty* and *Mr Esfridge* do carry the Resolve to the Council and desire their Concurrence thereto—

A Message from the Council That they have passed the Resolve for the Payment of One hundred and Eighty pounds to *Mr John Holloway Mr John Clayton* and *Mr Arch: Blair*—

*Ordered*

*Ordered*

That the Committee for Propositions and Grievances do attend the Govern<sup>r</sup> with all the Resolves of this Session for the payment of money and desire his assent thereto—

Mr *William Randolph* reports from the Committee appointed to proportion the public levy That the Committee had agreed upon the Several Proportions and had entered the Same in a book as usual which he delivered in at the Table where the same was read and agreed to—

A Bill for raising a Public levy was read the first time—

*Resolved.*

That the Bill be read a Second time

The said Bill was read a Second time

*Resolved*

That the Bill be Ingrossed.

The House being informed That the Clerks of the Counties of *Elizabeth City, Richmond, Westmorland, Lancaster, and Northumberland* had failed to return the Number of Tithables in their respective Counties which had Occasioned Some difficulties in proportioning the Public Levy.

*Resolved*

That the Said Clerks are guilty of a great neglect and that the Same be considered at the next Session of Assembly.

A message from the Council—

That they have passed the Resolve for appropriating the Sum of thirty pounds for providing Several things for the use of the Council and Gen<sup>l</sup> Court

Adjourned til Eleven a Clock to morrow morning.

*Thursday June the 7<sup>th</sup> 1722.*

A BILL intituled *an Act for raising a Public Levy* was read the third time  
*Resolved*

That the Bill do pass.

*Ordered*

That the Committee appointed to proportion the Public Levy do carry the Bill to the Council and desire their Concurrence thereto—

An Ingrossed Bill from the Council intituled *an Act for Enforcing and Rendering more Effectual the Treaties already made or hereafter to be made with fforrein Indians* was read the third time—

and Some Amendments were made at the Table.—

*Resolved*

That this House doth assent to the Said Bill with the said amendments

*Resolved.*

That a Message be Sent to the Council to acquaint them That this House assented to the Said Bill with the Amendments annexed. And that the Com<sup>tee</sup> for propositions and Grievances do go up with the message

A message from the Governor by Mr *Robertson*—

Mr *Speaker.*

I am commanded by the Governor to return to this House all the Resolves passed this Session for mony payments and to acquaint this House That he hath Signed his Assent to all those Resolves.

Mr *Clayton* reports from the Committee appointed to prepare Bills for amending the Law relating to the Militia and the Parochial laws.

That the Said Committee had had the Same under their consideration and found various difficulties therein and thereupon were of Opinion That the preparing the Said Bills be refer'd to the consideration of the next Session of Assembly.—

*Resolved*

*Resolved*

That the Same be refer'd to the confideration of the next Seflion of Affembly  
A Meflage from the Council That they have agreed to the book of Proportions and  
had alfo obtained the Governors affent thereto

That they had paffed the Bill intituled *an Aâ for raifing a Public Levy* without any  
Amendments.

And had agreed to the Amendments made by this Houfe to the Bill intituled *an  
Aâ for Enforcing and rendering more Effectual the Treaties already or hereafter to be made  
with fforrein Indians* and had inferted the Same in the Bill—

Then the Houfe adjourned til five a Clock in the afternoon—

## POST MERIDIEM

**M**R *Robinfon* reports That the perfons appointed had according to order Exam-  
ined the Inrolled Bills and that they found the fame truly inrolled—

*Ordered*

That the Committee who Examined the Said Bills do carry the fame to the  
Council for their Perufal—

A meflage from the Council That they are Satisfied the Several Bills paffed both  
houfes this Seflion are truly inrolled.—

A meflage from the Governor by Mr *Robertfon*—

Mr *Speaker*.

The Governor commands the Immediate attendance of this houfe in the Council  
Chambers w<sup>th</sup> Such bills as are ready for his Affent.—

And accordingly Mr *Speaker* with the Houfe went up to attend the Governor in  
the Council Chamber where he was pleafed to give his affent to the Several Publ and  
private Bills following—*viz<sup>t</sup>*.

*An Aâ for Encouraging the making of Tarr and Hemp.—*

*An Aâ to Oblige Ships coming from places infected with the Plague to perform their  
Quarentine—*

*An Aâ for Enforcing and rendering more Effectual the Treaties already made or  
hereafter to be made with fforein Indians.—*

*An Aâ for the further Improving the Staple of Tobacco.—*

*An Aâ for amendment [amending] the Aâ concerning Servants and Slaves and for the  
better Government of Convicts Imported and for the further preventing the Clandeftine  
Transportation of perfons out of this Colony.*

*An Aâ for punifhing mutinous and difobedient Seamen and for the more Speedy deter-  
mination of Controverfies arifing between Mafters of Ships and their Crews.—*

*An Aâ for the more Effectual Clearing of Rivers and Creeks—*

*An Aâ for Selling new fferries over York Rapahanoc and Pamunkey Rivers.—*

*An Aâ for making the Public Prijons in Williamfburgh more convenient and for  
building a houfe for the Keeper.—thereof.*

*An Aâ for amending the breed of Horfes.*

*An Aâ for preventing of Swine going at large within the City of Williamfburgh or the  
Limits thereof.—*

*An Aâ for the building a Church in the Parijh of Accomack.*

*An Aâ for the Vefting the ffee Simple Eftate of certain Lands in William Beverley  
of the County of King and Queen Gent. upon certain confiderations therein menconed.*

*An Aâ to Enable John Blinco to Sell certain Intailed Lands upon his Selling other  
Lands to the Same ufes.*

*An Aâ to Enable francis Smith to convey certain intailed Lands to John Spicer Gen.  
in ffee Simple upon the Said John Spicers conveying other Lands therein menconed to  
the Same ufes.*

*An Aâ for raifing a Public Levy.—*

Then

Then the Govern<sup>r</sup> was pleased to make the following Speech—

*Gentl. of the Council and House of Burgeffs*

Such Concord, and application to Businefs, Such good Temper and generous disposition and Such deference to a Governors Recommendation have been manifested in this Session of Affembly that I cannot in Justice part with you without rendering my public Acknowledgments and for my own particular muft Return you my Thanks for what you have voted in confideration of my Journey to *New York* in the year 1717 not fo much valuing the Quantum that you have given, as the Regard which you have now Shewn to my Services in thofe daies.—

What Remaines is to give you a Recefs from Publick Affairs that you may attend your own private Concernes while I am going a long Journey in order to lay a Lafting foundation for Your Safety: and Seeing I undertake it at the Inftances of every one of you I hope and affure my Self of that grateful Return, that while I am Labouring for your peace abroad you wil Strive to promote all Quietnefs at home and Endeavour in your Several Stations to make the people truly Senfible of the happinefs they Enjoy under his prefent Majefties Auspicious Reign.—

This is what I moft Earnestly Recommend to you all, and So Prorogue you to *Thurfday* the 15<sup>th</sup> day of *November* next, and this General Affembly is accordingly Prorogued to *Thurfday* the 15<sup>th</sup> day of next *November*.—



# JOURNAL

OF THE

# HOUSE OF BURGESSES

AT A

## GENERAL ASSEMBLY

summoned to be held at the Capitol in the City Williamsburgh the 5<sup>th</sup> day of *December* in the Ninth Year of the Reign of our Sovereign Lord GEORGE by the Grace of God of *Great Britain France and Ireland* King Defender of the Faith &c. And in the Year of our Lord M.D.C.C.XX.ij. And by writ of Prorogation begun and holden on the 9<sup>th</sup> day of *May* M.D.C.CXXij.

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RICHMOND, VIRGINIA.

MCMXI.



# A GENERAL ASSEMBLY

SUMMONED to be held at the Capitol in the City Williamfburgh the 5<sup>th</sup> day of *December* in the Ninth Year of the Reign of our Sovereign Lord GEORGE by the Grace of God of *Great Brittain France and Ireland* King Defender of the Faith &c. And in the Year of our Lord M.D.C.C.X. ij. And by writ of Prorogation begun and holden on the 9<sup>th</sup> day of *May* M.D.C.CXXij.

On which day being the first day of the Seffions of this Affembly about five a Clock in the afternoon *Phillip Ludwell* and *Cole Diggs* Esq<sup>rs</sup> who were appointed by Commiffion from his Majesties Lieutenant Governor to Adminifter the Oaths appointed by Act of Parliament [to] be taken inftead of the Oath of Allegiance and Supremacy. the Abjuration Oath the Teft and the Oath of a Burgefs to all perfons returned as Members before they fate in the Houfe Came into the Conference Chamber the place appointed for that purpose, And the Clerk of the Secretaries office presenting the Several Writts and Returns, and the Clerk of the General Affembly attending according to the duty of his place.

The faid *Phillp Ludwell* and *Cole Diggs* did according to the power to them given Orderly and diftinctly adminifter the faid Oathes to all the Members who then appeared and a Lift was taken of the names of all the Members who took the faid Oathes, And after the Members had feated themselves in the Houfe of Burgeffes. A Meffage was delivered from the Governor by M<sup>r</sup>. *Robertfon* as follows

*Gentlemen of the Houfe of Burgeffes—*

The Governor Commands your Immediate attendance in the Council Chamber And Accordingly the Houfe went up to Attend the Governor [in] the Council Chamber



THE  
JOURNAL  
OF THE  
HOUSE OF BURGESSES

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*Thursday the Ninth day of May 1723.*

THE Houfe having attended the Governor and being returned M<sup>r</sup> *Clayton* put the Houfe in mind of the Governors Commands to take choice of a fit perfon to prefide in their Councils, and did nominate and Recommend M<sup>r</sup> *William Randolph* as a perfon equal to that Truft—

And M<sup>r</sup> *Ejcridge* did Nominate and Recommend M<sup>r</sup> *John Holloway* who was Speaker of the former Affembly and had acquitted himfelf in the Employment with Honour and Reputation

And after a Debate the Queftion was put by the Clerk.

And M<sup>r</sup> *Holloway* being by a Majority of Voices called upon to the Chair was conducted thither by two Members and being there placed made a Speech to the Houfe. Telling them he wanted words to Exprefs his thanks for their great Kindnefs and the Singular Honour they had done him in approving his former Service in the Chair—

*Refolved*

That a Meffage be fent to the Governor to Acquaint him That this Houfe had made choice of a Speaker And to know his pleafure when the Houfe fhall prefent him.

*Ordered*

That M<sup>r</sup> *M<sup>c</sup> Carty*, M<sup>r</sup> *Harriſon*, M<sup>r</sup> *Merriwether* M<sup>r</sup> *Ejcridge* M<sup>r</sup> *Conoway* M<sup>r</sup> *Clayton*, M<sup>r</sup> *Willis* M<sup>r</sup> *Blair* M<sup>r</sup> *Robinſon* M<sup>r</sup> *Majon* M<sup>r</sup> *Stith*, M<sup>r</sup> *Rob<sup>t</sup> Bolling* and M<sup>r</sup> *Dangerfield* do carry the faid Meffage.

And M<sup>r</sup> *M<sup>c</sup> Carty* acquainted the Houfe That the Governor had Appointed to Morrow Morning eleven a Clock for the Houfe to prefent their Speaker

Adjourned til Ten a Clock to Morrow Morning.

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*Friday May the 10<sup>th</sup> 1723.*

THE Houfe being met and M<sup>r</sup> *Speaker* Elef<sup>t</sup> having taken the Chair  
A Meffage was delivered from the Governor by M<sup>r</sup> *Robertſon*, as follows  
M<sup>r</sup> *Speaker*

The Governor commands the Immediate attendance of this Houfe in the Council Chamber

And they went up accordingly with the Speaker Elef<sup>t</sup> and being returned M<sup>r</sup> *Speaker* Reported That the Houfe had Attended the Governor and prefented their Speaker and that the Governor was pleaſed to approve and Confirm him And that he had made the Uſual petitions for the Ancient Rights and Priviledges of the Burgeſſes (*Viz<sup>t</sup>* ) That in their Debates they may have freedome of Speech as of Right & Cuſtom hath been uſed, Power over their own Members and free Acceſs to his perſon. And  
that

that the Governor was pleased to make this Answer That he should make it his cheife care to preserve the Houfe of Burgeffes in thefe and all other their Juft Rights and Priviledges.

And Mr *Speaker* further acquainted the Houfe That the Governor was pleased to make a Speech to the Council and this Houfe which was too long for him to remember, but he had obtained a Copy of it which he read—and the fame was afterwards read by the Clerk—and is as follows

*Gentlemen of the Council* }  
and *Houfe of Burgeffes*— }

Having the Honour conferred upon me by our Soverain Lord the King to be fent hither to command as his Lieutenant Governor I judged it requifite for the Benefit of the Colony to call you in Affembly That thereby you might have an opportunity given you of Meeting together and Consulting among your Selves What may moft advance your prosperity happinefs and Security. I come Impowered by my Inftuctions and prepared by my Inclinations to give my helping hand to all fuch Bills thus Tendered to me, And as my Intentions are during the Courfe of my Adminiftration to preserve you in the full poffeffion of thofe Rights and Properties you enjoy under the Mild Influence of our prefent happy Eftablifhment Which I cannot better Exprefs than in thofe words lately delivered from the Throne That I will make the Laws the Rule and Meafure of all my Actions, So I muft on the other hand acquaint you that I am firmly refolved to Maintain his Majefties Authority and Prerogative And Answer that Confidence he has been pleased to lodge in me with Refolution firmnefs and Loyalty

*Gentlemen of the Houfe of Burgeffes*

I doe not determine how far you may think it neceffary for Your Service to lay duties as formerly Practifed on fome of your Imported Commodities to recruit that Fund now near Exhausted which you Employed fo well for leffening the Levy & poll and for fome other Ufeful Services of the Country: I wholly leave that Matter to be difcuffed among your Selves and fhall procede to recommend to the Council and your Thoughts fome Affairs that deferve your more immediate Attention

Your Laws feem very deficient in the due punifhing any Intended Infurrection of your Slaves: You have had a late Experience of the Lamenefs of them, I am perfwaded you are all too well acquainted with the Cruel difpofitions of thofe Creatures when they have it in their power either to deftroy or diftrefs, to let flip this fair Opportunity of making more proper laws againft them or at leaft to enquire whether any thing is wanting to enforce thofe Laws now in being. The Sureft Method to prevent any fatal Confequences that may arife from their wicked Defigns is to put your Militia in a better pofture of defence than at prefent they feem to be.

I obferve in the Journals of the laft Houfe of Burgeffes that they poftponed the Confideration on that head to the next Seflion of Affembly. I flatter my felf now that none among you will be fo much wanting to your own fafeties as to Suffer Such a body of men as this Colony affords to appear as hitherto Ufelefs, For by a right regulateing of them You are able to fhew your felves Terrible to your Slaves, formidable to the Indians and in a readinefs to Oppofe All Enemies that dare prefume to Moleft You.

I could not Excufe myfelf, if I omitted on this Occafion representing to you the Languifhing Condition of your Tobacco Trade almoft deftroyed by the Grofs Frauds and Abufes that are lately crept into it. Tis to[o] nice a point for me to propofe Remedies. Your own Sufferings will awaken you to the Confideration of what is moft proper to apply for the Recovery of it, If you can fall on any Expedients agreeable to the Intereft of the Crown and thofe concerned in the Trade I fhall readily affift you in promoteing them to the beft of my power.

*Gentlemen of the Council* }  
& *Houfe of Burgeffes*.— }

I am pleased that I can congratulate with you on the Seasonable difcovery and prevention of fome pernicious Attempts carried on at home to dethrone our Gracious King

King and unhinge his Government: I need not expatiate on the Miferies that would have reached us had that unnatural Rebellion Succeeded, The Temper of our Enemies would soon make us Sensible of the Treatment we were to Expect at their hands Nor need I labour to Acquaint you what is your duty on this Occasion, Your Fidelity and Affection to his Majesty will more properly instruct you.

I have nothing more to add to your present Consultations than to Assure you that what can in reason be demanded and is in my Power to grant you shall never want my Concurrence or Assistance For I have your welfare Sincerely at heart and since I have no other Views but what you all aim at which is the King's Service and the Good of this Colony I hope we shall Unite and agree in the same Measures to Compas them.

*Resolved Nemine contradicente*

That an Address of thanks be prepared to the Governor for his very Affectionate and Obliging Speech to this Assembly.

*Resolved Nemine contradicente*

That an Humble Address be prepared to the King to Congratulate his Majesty on the Seasonable discovery of the late dangerous Conspiracy against his person and Government

*Resolved*

That this House will take the Governors Speech into Consideration on *Monday* next.

*Ordered*

That a Committee of Privileges and Elections be Appointed of these persons following *Viz*.

*M<sup>r</sup>. Randolph*

*M<sup>r</sup>. Escribde*

*M<sup>r</sup>. Cole*

*M<sup>r</sup>. Presly—*

*M<sup>r</sup>. Griffin*

*M<sup>r</sup>. Nich<sup>s</sup>. Smith—*

*M<sup>r</sup>. Johnson*

And they are to meet as often as they find it Necessary and to take into their Consideration All such matters as shall or may come in Question touching Returns Elections and Privileges and to report their proceedings with their Opinions therein to the House from time to time And the said Committee is to have power to Send for Witneses Persons Papers and Records for their Information

*Ordered*

That a Committee for Publick Claims be Appointed of the following persons *Viz*:

*M<sup>r</sup>. Harriſon*

*M<sup>r</sup>. Will<sup>m</sup>. Ball*

*M<sup>r</sup>. Joseph Godwin*

*M<sup>r</sup>. Willis—*

*M<sup>r</sup>. Gray—*

*M<sup>r</sup>. Newton*

*M<sup>r</sup>. Crafford*

*M<sup>r</sup>. Rob<sup>t</sup>. Bolling*

*M<sup>r</sup>. Harwood &*

*M<sup>r</sup>. Mason—*

*M<sup>r</sup>. Barber—*

And the said Committee are to meet and to take into their Consideration all matters concerning the public Claims of the Country and to report their proceedings with their Opinions therein to the House And the said Committee is to have power to Sit from day to day and to send for Persons Papers and Records And they are to Inspect the Report of the Committee for Publick Claims of the last session of Assembly and make Report to the House of any matter they shall find therein necessary to be further Considered this Session—

*Ordered*

That a Committee for Propositions and Grievances be appointed of the persons *viz*:

*M<sup>r</sup>. M<sup>c</sup>Carty*

*M<sup>r</sup>. Randolph*

*M<sup>r</sup>. W<sup>m</sup>. Robinſon*

*M<sup>r</sup>. Merriwether*

*M<sup>r</sup>. Blair*

*M<sup>r</sup>. Escribde*

*M<sup>r</sup>. Braxton*

*M<sup>r</sup>. John Bolling*

*M<sup>r</sup>. Bouſh—*

*M<sup>r</sup>. Conway—*

*M<sup>r</sup>. Thomas Godwin &*

*M<sup>r</sup>. Clayton*

*M<sup>r</sup>. W<sup>m</sup>. Thornton—*

And

And they are to meet and take into their Consideration All Propositions and Grievances w<sup>ch</sup> shall be Offered to this Affembly and to report their proceedings with their Oppinions therein to the House from time to time And the said Committee is to have power to Sit from day to day and to Send for Persons Papers & Records—

*Ordered*

That the said Committee do prepare and draw up the Addrefs to his Majesty and also the Addrefs to the Governor

Upon the Petition of *W<sup>m</sup> Le neve* Clerc, he is appointed Chaplain to the House.

*Ordered*

That he attend to read prayers every Morning in the Conference Chamber at Ten a Clock

*Ordered.*

That *Mr Clayton* and *Mr Blair* do Acquaint the Governor and Council of the Time appointed for prayers

*James Haffel, Nicholas Wager Rob<sup>t</sup>. Dyer* and *William ffrancis* upon their Several petitions are Appointed Door keepers to this House.

*Ordered*

That they give their Attendance Accordingly

*Mr Godfrey Pole* upon his petition is appointed Clerk to the Committee for Propositions and Grievances

And *Mr Miles Cary Jun<sup>r</sup>* upon his petition is appointed Clerk to the Committee of Privileges and Elections and the Committee for publick Claims

*Ordered*

That they give their Attendance Accordingly.

*Ordered*

That all Propositions and Grievances and publick Claims be brought in by *Fryday* the 17<sup>th</sup> Instant or else that they be not received without particular leave of the House

*Ordered*

That the Clerk do fix Copy of the said Order upon some of the Doors of the Capitol

*Ordered*

That the Committee for Propositions and Grievances do Inspect the Journals of the last Affembly and prepare and draw up a State of the Matters then depending and undetermined and the progress that was made therein and Report the same to the House

*Ordered*

That the Committee for Propositions and Grievances Inspect what Laws are Expired or near Expiring and Report their Opinion to the House which of them are fit to be revived or Continued

*Resolved*

That the Orders of the last session of Affembly continue standing Orders of this session.

*Ordered*

That the same do ly constantly upon the Table for the Use of the Members.

*Resolved*

That Fifteen Members with the Speaker be Sufficient to meet and Adjourn—

*Ordered*

That *Mr Aylett Mr William Thorton* and *Mr Massey* do wait on the Governor and desire him to give Order for the Issuing a new Writ for Electing a Burgess to serve in this present General Affembly for the County of *King William* in the room of *John Childs* Gent<sup>e</sup> dece<sup>d</sup>

Adjorned till Eleven a Clock to Morrow Morning

*Saturday*



*Saturday May the 11<sup>th</sup> 1723.*

THE Houfe being met  
Adjourned till *Monday* Morning Eleven a Clock.—

*Monday May the 13<sup>th</sup> 1723*

**M**R M<sup>c</sup>Carty Reports from the Committee appointed to prepare and draw up an Addrefs to the Governor that the Committee had agreed upon an Addrefs which he read in his place and afterwards delivered the fame in at the Table where it was twice read and agreed to, as follows

*To the Hon<sup>ble</sup> Hugh Dryfdale his Majesties Lieu<sup>t</sup>. Governor and Commander in Chief of the Colony and Dominion of Virginia—*

*The Humble Addrefs of the Houfe of Burgefles*

*May it please your Honour*

We his Majesties moft dutiful and Loial Subjects the Burgefles now met in Affembly beg leave to render your Honour Our moft hearty Thanks for the Zeal you have been pleased to Exprefs for the Welfare and Prosperity of this Colony in your moft kind and Affectionate Speech delivered to us at the Opening this Seflion

We muft always esteem it the greateft Happinefs can befall a people to be governed by the Laws of their Country under the direction of a Perfon whose inclinations lead him to Advance their Interest and Prosperity You *Sir* by your Example truly delineate to us the paths to those moft Valuable Blessings of Union and Agreement and by your Mild and Equal Adminiftration give us hopes of intire Satisfaction dureing the time of your prefiding over us.

We are highly Sensible of the Blessings we Enjoy under the present Establishment of the Crown of *Great Britain* and muft reflect with abhorrence on the Wicked and Traiterous Attempts which have been made to dethrone the best of Kings And as our Ancestors have ever acted with firm and Steady Loyalty to their Soverain so we shall strictly persevere therein

We are greatly Encouraged from the assurance your Honour is pleased to give of your Assistance to prepare such Laws as may tend moft to his Majesties Service and for Securing the Lives and Advancing the Interest of his Subjects here And humbly beg leave to Assure you We will heartily endeavour to find the moft Effectual means to Attain those Ends.

*Resolved*

That the said Addrefs be presented by the whole Houfe—

*Ordered*

That the Committee for Propositions & Grievances do desire to know of the Governor when this Houfe may Attend him with the said Addrefs

The Houfe Resolved itself into a Committee of the whole Houfe to Consider the Governors Speech And after some time spent therein M<sup>r</sup> *Speaker* Refumed the Chair and M<sup>r</sup> *Randolph* reported from the Committee that they had had some part of the said Speech under their Consideration And were come to Two Resolutions which they had directed him to Report to the Houfe And he read the same in his place and afterwards delivered them in at the Table where they were read and agreed to by the Houfe as follows

*Resolved*

That a Bill be prepared for the more Effectual punishing Conspiracies or Insurrections of Slaves and for the better Government of them

*Resolved*

That a Bill be prepared for putting the Militia of this Colony in a better posture of Defence

*Ordered*

*Ordered*

That the Committee for propositions and Grievances do prepare and bring in the said Bills.

M<sup>r</sup>. *Randolph* also acquainted the House that he was directed by the Committee to move that they might have leave to sit again.—

*Resolved*

That this House will to Morrow Resolve itself into a Committee of the whole house to Consider further of the Governors Speech.

M<sup>r</sup>. *M<sup>c</sup>Carty* acquainted the House that the Governor was now ready in the Council Chamber to receive their Addrefs, and M<sup>r</sup>. *Speaker* Reports that he with the House had attended the Governor and presented the Addrefs of this House And that the Governor was pleased to return this Answer

*M<sup>r</sup>. Speaker and Gentlemen of the House of Burgeffes—*

I am glad to find that what I have Communicated to you at the opening of this Session of Assembly meets with your Approbation I thank you for your kind Addrefs And I assure you while I have the Honour of presiding among you I will pursue the True Interest and Welfare of the Colony.

M<sup>r</sup>. *Randolph* Reports from the Committee of Privileges and Elections That the said Committee had Examined the Returns of the Several Writs for the Election of Burgeffes to serve in this present General Assembly And that it appeared to the said Committee that the following persons were duly Returned *Viz*.

M<sup>r</sup>. *W<sup>m</sup> Randolph* and M<sup>r</sup>. *John Bolling* for the County of *Henrico*.

M<sup>r</sup>. *Rob<sup>t</sup>. Bolling* and *John Poythres* for the County of *Prince George*.

M<sup>r</sup>. *Will<sup>m</sup>. Gray* & M<sup>r</sup>. *Henry Harrison* for the County of *Surry*—

M<sup>r</sup>. *Henry Applewhaite* & M<sup>r</sup>. *Joseph Godwin* for the County of *Isle of Wight*.

M<sup>r</sup>. *Thomas Godwin* & M<sup>r</sup>. *Henry Baker* for the County of *Nancemond*.

M<sup>r</sup>. *W<sup>m</sup>. Crafford* & M<sup>r</sup>. *George Newton* for the County of *Norfolk*—

M<sup>r</sup>. *James Ricketts* & M<sup>r</sup>. *Thomas Wythe* for the County of *Elizabeth City*—

M<sup>r</sup>. *W<sup>m</sup>. Cole* & M<sup>r</sup>. *William Rojcow* for the County of *Warwick*.—

M<sup>r</sup>. *Archibald Blair* and M<sup>r</sup>. *John Clayton* for the County of *James City*

M<sup>r</sup>. *Sam<sup>l</sup>. Harwood* & M<sup>r</sup>. *John Stiith* for the County of *Charles City*—

M<sup>r</sup>. *Nich<sup>s</sup>. Merriwether* and M<sup>r</sup>. *Richard Harris* for the County of *Hanover*.

M<sup>r</sup>. *John Thorton* & M<sup>r</sup>. *Thomas Maffie* for the County of *New Kent*

M<sup>r</sup>. *W<sup>m</sup>. Aylett* & M<sup>r</sup>. *John Childs* for the County of *King William*.—

M<sup>r</sup>. *Richard Johnson* & M<sup>r</sup>. *George Braxton* for the County of *King & Queen*

M<sup>r</sup>. *Giles Cook* & M<sup>r</sup>. *Henry Willis* for the County of *Gloucester*.

M<sup>r</sup>. *Rob<sup>t</sup>. Jones* & M<sup>r</sup>. *W<sup>m</sup>. Dangerfield* for the County of *Effex*—

M<sup>r</sup>. *Larkin Chew* and M<sup>r</sup>. *Fran<sup>s</sup>. Thorton* for the County of *Spotsylvania*

M<sup>r</sup>. *Nich<sup>s</sup>. Smith* & M<sup>r</sup>. *W<sup>m</sup>. Thornton* for the County of *King George*

M<sup>r</sup>. *Charles Barber* & M<sup>r</sup>. *Thomas Griffin* for the County of *Richmond*.

M<sup>r</sup>. *Edwin Conway* & M<sup>r</sup>. *W<sup>m</sup>. Ball* for the County of *Lancajter*—

M<sup>r</sup>. *George Escriidge* and M<sup>r</sup>. *Daniel M<sup>c</sup>Carty* for the County of *Westmorland*.

M<sup>r</sup>. *George Mason* & M<sup>r</sup>. *W<sup>m</sup>. Robinson* for the County of *Stafford*.

M<sup>r</sup>. *Fully [Tully] Robinson* & M<sup>r</sup>. *Edmund Scarborough* for the County of *Accomack*

M<sup>r</sup>. *Geo. Harmanjon* & M<sup>r</sup>. *Thomas Harmanjon* for the County of *North'ton*

M<sup>r</sup>. *John Holloway* for the City of *Williamjburg* and M<sup>r</sup>. *Lawrence Smith* & M<sup>r</sup>. *Edward Tabb* for the County of *York*.

And that it appeared to the said Committee that the following Persons were not duly Returned *Viz*.

M<sup>r</sup>. *Henry Spratt* & M<sup>r</sup>. *Maximilian Boush* for the County of *Princes Ann*.

M<sup>r</sup>. *W<sup>m</sup>. Broadnax* for *James Town*.

M<sup>r</sup>. *Mathew Kemp* & M<sup>r</sup>. *Edwin Thucker [Thacker]* for the County of *Middlesex*.

and M<sup>r</sup>. *Peter Prefley* & M<sup>r</sup>. *George Ball* for the County of *Northumberland*.

*Ordered*

*Ordered*

That the Clerk do now at the Table amend the Returns made by the Sheriffs of *James City Mddx, Princefs Anne & Northumberl'd* upon the Writs for electing of Burgeffes to ferve in this prefent General Affembly for the faid Counties & for *James Town*.

Then the Houfe Adjourned till tomorrow morning eleven of the Clock.

*Tuesday May the 14<sup>th</sup> 1723.*

**A** PETITION of *John Lomax* in behalf of himfelf and Divers Freeholders of the County of *Effex* was prefented to the Houfe & Read, Complaining that Col<sup>o</sup> *Joseph Smith* one of the Juftices of the faid County had refufed to fit in Court to receive and certifie a grievance fubfcribed by the Petitioner and Divers other Freeholders, Whereby there wanted a Sufficient Number of Juftices to make a Court, And praying that the faid *Joseph* (if he hath Acted therein againft the Laws and Liberties of the Subject) may be dealt with Accordingly—

*Ordered*

That the faid *Joseph Smith* be fent for in Cuftody of y<sup>e</sup> Meffenger to anfwer the faid petition at the Bar of this Houfe And that M<sup>r</sup>. *Speaker* do Ifsue his Warrant Accordingly

A Petition of Sundry Inhabitants of the County of *Effex* whose names are thereunto Subfcribed was prefented to the Houfe and Read Complaining of great Severities exercised by Col<sup>o</sup> *Joseph Smith* in Levying of ffines upon Orders of a Court Marfhall, The proceedings whereof were complained of and cenfured at the laft Affembly—

*Ordered*

That the faid petition be refer'd to the Confideration of the Committee of Privileges and Elections and that they do examin the matter thereof and Report the fame as it fhall appear to them to the Houfe.

The Order of the day being read

*Refolved*

That this Houfe will to Morrow Refolve it felf into a Committee of the whole Houfe to Confer further of the Governors Speech.

Then the Houfe Adjourned till to morrow morning eleven of the Clock.—

*Wednesday May the 15<sup>th</sup> 1723*

**A** PETITION of *Rob<sup>t</sup>. Stubblefield Peirce Buttler* and *Paulin Anderfon* was prefented to the Houfe and read Praying that Leave may be given to bring in a bill for vefting in the faid *Peirce Buttler & Paulin Anderfon* the Fee fimple Eftate of certain Lands whereof the faid *Robert* is feized in fee tail and for vefting other lands of the faid *Peirce* and *Paulin* in the faid *Rob<sup>t</sup>* to the fame ufes—

*Ordered*

That the faid Petition be referd to the Confideration of a Committee and that they do Examin the matter thereof and the Value of the faid Lands and Report the fame with their Opinion thereupon to the Houfe

And a Committee was appointed accordingly

The Houfe (according to Order) Refolved it felf into a Committee of of the whole Houfe to Confer further of the Governors Speech and after fome time fpent thereing M<sup>r</sup>. *Speaker* refumed the Chair & M<sup>r</sup>. *Randolph* reported from the Committee That they had had under their further Confideration part of the Governors Speech & were come to a Refolution which they had directed him to report to the Houfe And he read the fame in his place and afterwards delivered it in at the Table where the fame was read and agreed to and is as follows *viz*.

*Refolved*

*Resolved*

That a Bill be prepared for the further improving the staple of Tobacco

*Ordered*

That the Committee for propositions and Grievances do prepare and Bring in the said Bill

Mr. *Randolph* also acquainted the House that he was directed by the Committee to move for leave to sit again

*Resolved*

That the House will on *Tuesday* next Resolve itself into a Committee of the whole House to Consider further of the Governors Speech—

A Petition of *Rice Hoe* and *George Majon* Gent. ffeoffees of the Land laid out for a Town in the County of *Stafford* was presented to the House and read praying that Leave may be given to bring in a Bill to enable them to sell the said Land the same not being built upon or Inhabitated

*Ordered*

That the said petition be refered to the Consideration of a Committee to Examine the Matter thereof and to enquire what persons are interested in the said Land and of whom the same was purchased and to report the same with their Opinion thereupon to the House And a Committee was appointed accordingly.

A Petition of Sundry Inhabitants of the County of *King William* whose names are thereunto Subscribed was refer'd to the House by the Governor and Council and was read praying that a Courthouse for the said County may be built upon the Land of Major *Aylett* and that the said County may not be Divided.

Also—A Petition of *John Butts* and others Justices of the said County whose names are thereunto Subscribed praying that the Court may continue to be held at the place where the same is now held or that the said County may be Divided.

*Ordered*

That the said petitions be referred to the Consideration of the Committee for propositions & Greivances to examine the Matter thereof and report the same with their opinion thereon to the House—

*Ordered*

That the Committee for propositions and Greivances do Attend the Governor and desire him to lay before this House The Treaty lately made with the Northern Indians at *Albany* with the Journal of the proceedings upon that Expedition.

Then the House Adjourned till tomorrow mor'ing Eleven of the Clock.

*Thursday May the 16<sup>th</sup> 1723.*

MR *McCarty* acquainted the House that the persons appointed had according to Order Attended the Governor and desired him to lay before this House the Treaty lately made with the Northern Indians at Albany with the Journal of the proceedings upon that Expedition And that the Governor was pleased to say he would take care that the Treaty should be laid before the House but the Journal was not yet in his possession.

Mr. *McCarty* Reported from the Committee to whom the petition of Sundry Inhabitants of the County of *King William* and also the petition of *John Butts* and others Justices of the said County were refered—a Resolution of the said Committee thereupon which he read in his place and afterwards delivered in at the Table where the same was read & agreed to as follows.

*Resolved*

That the said County be not Divided and that the Court of the said County be continued to be held at the place where the same is now held

A Message from the Governor was deliver'd by M<sup>r</sup>. *Robertson*—

M<sup>r</sup>. *Speaker*. I am Commanded by the Governor to lay before this House the Treaty lately made with the Northern Indians at *Albany* pursuant to the Message of this House  
*Ordered*

That the said Treaty do ly upon the Table for the perusal of the Members

A Written Message from the Governor & Council was delivered by M<sup>r</sup>. *Robertson* as followeth—

*M<sup>r</sup> Speaker and Gentlemen of the House of Burgeffes*

The late Conspiracy discovered among the Negroes to Cut off his Majesty's Subjects has Occasioned the Government taking some Extraordinary Measures to prevent the Evil Consequence of Suffering those to go at large who are more than Suspected of being deeply engaged in that Horrid design Tho' the Evidence against them being only of their own Condition and Complexion did not amount to a Legal proofe to Convict them. If those now in Prison have had the boldness even under a Strict confinement and the Terror of a prosecution to use such Threatening Speeches against the Lives of Gentlemen who appeared Active in disappointing the Execution of their Villanous Schemes (as your House will observe by the Order of the General Court herewith Transmitted has been fully proved against them) it may be Justly feared That if these escape with Impunity not only they but others by their persuasion and Example will be encouraged to more daring Attempts Wherefore the Governor and Council doubt not you will take it into Consideration such proper and effectual means as may remove the Danger of the Country if these slaves are again Set at Liberty, and in such a manner as may be least prejudicial to their Owners

*Ordered*

That the said Message be taken into Consideration to morrow

M<sup>r</sup>. *Braxton* reported from the Committee to whom the petition of *Rob<sup>t</sup>. Stubblefield* *Peirce Buttlr* and *Paulin Anderson* was refered the matter as it appear'd to them which he read in his place and afterwards delivered it in at the Table where the same was read

*Ordered*

That Leave be given to bring in a Bill for vesting the free simple Estate of certain Lands whereof the said *Rob<sup>t</sup>. Stubblefield* is seized in free-tail—in the said *Peirce Buttlr* and *Paulin Anderson* and for vesting other Lands of greater Value whereof the said *Peirce Buttlr* and *Paulin Anderson* are Seized in free simple in the said *Rob<sup>t</sup>. Stubblefield* in fee-tail And that M<sup>r</sup>. *Braxton* M<sup>r</sup>. *Johnson* M<sup>r</sup>. *Cook* M<sup>r</sup>. *Willis* & M<sup>r</sup>. *Aylett* do prepare and Bring in the same.

A Petition of Sundry Inhabitants of the Parish of *S<sup>t</sup>. Stephens*—in the County of *King* and *Queen* whose names are thereunto Subscribed Being referd from the Governor and Council was read praying that the said parish may be divided into two parishes.

*Ordered*

That the said petition be referred to the Consideration of the Committee for propositions and Greivances and that they do Examin the Matter thereof and report the same with their Opinion thereupon to the House—

A Petition of *John Fox* was presented to the House and read, praying that leave may be given to bring in a Bill for Confirming his Title to certain lands in the County of *King William* formerly purchased by his Grandfather *John West* of the *Pamunkey* Indians.

*Ordered*

That the said petition be referred to the Consideration of a Committee and that they do Examin the Matter thereof and report the same as it shall appear to them to the House—

And a Committee was appointed accordingly

Then the House Adjourned till tomorrow morning Eleven a Clock.

*Fryday*

*Fryday May the 17<sup>th</sup> 1723.*

THE Houfe proceeded to take into confideration the written Meffage from the Governor and Council relateing to feveral Negroes now in Goal Suspected to be concerned in the late Conſpiracy and the ſame was read

And the Order of the General Court in the ſaid Meffage mentioned was read.

And M<sup>r</sup>. *Attorney General* preſented to the Houfe the Examination of Several Slaves concerning a Conſpiracy and Intended Infurrection of great Numbers of Negroes in the Counties of *Gloſter* and *Medd* and the ſame were alſo read.

*Ordered*

That a Bill be brought in for Selling and Tranſporting *Dick* a negro Slave of *Mathew Kemp* Gent. *Dambara Tom* a negro flave of *Thomas Smith* Gent. *Sancho Ijaac* and *Jeffery* Negro flaves of *Armiftead Churchill* Gent. and *Robin* a negro Slave of *John Rodes* planter to ſome of the Iſlands in the *Weſt Indies* at the Charge of the Country for Aſcertainning the Value of them and paying the ſame to their reſpective Owners And for applying the money ariſeing from the ſale of the ſaid Negroes towards reimbursing the Country and that the Committee for propoſitions and Greivances do prepare and bring in the ſaid Bill.

Propoſitions from Sundry perſons whoſe names are thereunto Subſcribed for Chriſtianizing Negro Children and for altering the Manner of proof required by Law of Fornication & Adultery were preſented to the Houfe and read.

*Ordered*

That the ſaid propoſitions be refered to the Conſideration of the Committee for propoſitions and Greivances and that they doe Examin the Matter thereof and report the ſame with their oppinion thereon to the Houfe.

A Petition of the Major part of the Veſtry and other Inhabitants of the pariſh of *S<sup>t</sup> Stephens* in the County of *King* and *Queen*, whoſe names are thereunto Subſcribed being referred from the Governor and Council was read praying the Said pariſh may not be Divided, or if it be that it be Divided higher up than the upper Inhabitants propoſe

*Ordered*

That the ſaid petition be referred to the Conſideration of the Committee for propoſitions and Greivances and that they do examin y<sup>e</sup> matter thereof and report the ſame with their Oppinion thereon to the Houfe—

A Petition of *James Taylor* was preſented to the Houfe and read praying an Allowance for his Services in Laying out the bounds of the County of *Spotſylvania*—

*Ordered*

That the ſaid petition be referred to the Conſideration of the Committee for publick Claims and that they do examin the matter thereof and report the ſame with their Oppinion thereupon to the Houfe.

A Bill directing the Tryal of Slaves committing Capital Crimes and for the more effectual puniſhing Conſpiracies & Infurrections of them and for the better Government of Negroes Mulattos & Indians bond or free was read the firſt time and ordered to be read a Second time

Then the Houfe Adjourned till to Morrow Morning eleven a Clock.

*Saturday May the 18<sup>th</sup> 1723*

THE Houfe being Acquainted that Col<sup>o</sup> *Joſeph Smith* attended at the door in Cuſtody of the Meſſenger He was called in to the Bar and M<sup>r</sup>. *Speaker* acquainted him with the Matter of M<sup>r</sup>. *Lomax*'s Complaint againſt him and that the Houfe expected his Anfwer. He ſaid his anfwer was long and that he had a very Treacherous Memory and deſired the leave of the Houfe that he might deliver it in writing and then withdrew

*Ordered*

*Ordered*

That the said *Joseph Smith* have liberty to read his Answer at the Bar and then deliver it to the Clerk

And being again called in he read a paper containing his Answer to the said Complaint and delivered the same to the Clerk and then withdrew

*Ordered*

That the said paper do ly upon the Table and that the same be taken into Consideration on *Tuesday* next.

*Ordered*

That the said *Joseph Smith* remain in Custody of the Mesfnger.

Mr. *McCarty* reported from the Committee appointed to Inspect the Journal of the last Session of Assembly That the said Committee had drawn up a state of the matters then Depending & undetermined and the progress that was made therein which they had directed him to report to the House And he read the said report in his place & afterwards delivered it in at the Table where the same was read.

*Ordered*

That Mr. *Daniel McCarty* Mr. *Geo. Escribde* Mr. *Charles Barber* Mr. *Wm Woodbridge* and Mr. *Charles Grymes* or any three of them with Mr. *Coppidge* and Mr. *Newton* Surveyors or one of them do meet pursuant to an Order of the House of Burgesses at the last Session of Assembly and according to the Evidences which shall be produced to them, lay out the Bounds Between the Counties of *Lancaster & Northumberland* at the Charge of Both Counties and that they report their proceedings to the next Session of Assembly

*Ordered*

That Mr. *John Holloway* Mr. *John Clayton* & Mr. *Archibald Blair* to whom the sum of Two hundred and ten pounds by a resolution of the Last Session of Assembly was ordered to be paid out of the publick Money, for the providing Sundry Ornaments and other things for the use of the Assembly General Court and Council do employ the said Sum according to the said Resolution and Account to the next session of Assembly.

*Ordered*

That the neglect of the Clerks of the Counties of *Elizabeth City, Richmond Westmorland Lancaster* and *Northumberland* in failing to return to the last session of Assembly the Number of Tithables in their respective Counties be taken into Consideration when the Committee for publick Claims make their Report

*Resolved*

That the Defects of the laws in force relating to the Clergy and parochial affairs referred to the Consideration of this session of Assembly be referred to the Consideration of the next session of Assembly.

Mr. *McCarty* also reported from the Committee of propositions and Greivances that the said Committee had Considered several of the propositions and Greivances which have been offered to this Assembly and were come to several resolutions thereupon which they had directed him to report to the House, and he read the Report in his place and afterwards delivered it in at the Table where the same was read and is as followeth.

On Consideration of the several propositions from *Hannover & Prince George* Counties that negroes may be prevented from going abroad Carrying Arms and Convening in great Numbers and that if any should be Killed in reducing them to Obedience they might be paid for out of a Duty to be laid. And of the Greivance from *Northampton* County complaining of the great Numbers of free Negroes of which the women pay no Taxes

*Resolved*

That the same is Sufficiently provided for in a Bill now prepared upon Consideration of the proposition from *Prince George* County

That ear Marks for cattle be recorded and published in the Court house Room wherby stray Cattle may the sooner be restored to their Owners and directing methods therein.

*Resolved*

*Resolved.*

That the same be rejected being already provided for by Law.

Upon Consideration of Several propositions from *Hannover* County That the Bill passed concerning horses may be repealed And that Clerks and Sheriffs fees may be reduced or abated

*Resolved*

That the said propositions be rejected

Upon Consideration of the Greivance from *Northampton* County that they esteem it a hardship that any particular County should pay the Charge of the Condemnation of any Malefactors for facts committed in another County and that the County wherein Facts worthy of Death shall be Committed should bear its own Charge or be the Owners loss only And of the propositions from the said County That some convenient Towns and Ports might by law be appointed therein.—

And that no person shall Transport any other over the bay without a Certificate first granted them

*Resolved*

That the same be rejected

Upon Consideration of the proposition from *Westmorland* County That a Chappel of Ease may be erected in the Center thereof at the Charge of the said County

*Resolved*

That the same be referred to the Consideration of the next session of Assembly

Upon Consideration of the proposition of *Will<sup>m</sup> Todd* and other Subscribers That a Law be made to bring up Negro Children born in this Country in the Christian Religion

*Resolved*

That the same be rejected being at present impracticable

Upon Consideration of the proposition from the said persons That that part of the Law for the more Effectual Suppression of Vice which require the Oaths of Two or more witnesses to prove the Offences of Adultery and fornication be repealed and that the Oath of the woman after Conviction with other convincing Circumstances may be Sufficient proof.

*Resolved*

That the same be rejected such Offences being punishable at the Common Law.

Upon Consideration of the several propositions from *Northumberland* and *Hanover* Counties

That after Tobacco has once been Viewed by a sworn Receiver, as the late Tobacco Law directs, The Owner may not be Compelled to have it afterwards viewed and that the said Law for many Inconveniences therein may be repealed, And of the greivance from *Northampton* County relating to the time of planting Tobacco which is desired may be Altered and further time given or that the said Law may be repealed.

*Resolved*

That the same be rejected

All the said Resolution[s] (except the last) being Severally read a Second time were agreed unto by the House

The last of the said Resolutions being read a Second time And a Motion being made and the Question being put that the said Tobacco Law be repealed

*Resolved* in the Affirmative

*Ordered*

That it be an Instruction to the Committee appointed to prepare and bring in a Bill for the further Improving the staple of Tobacco That they bring in a Clause to be Added to the said Bill for repealing the said Law.

Mr. *McCarthy* also reported from the said Committee That they had had under their Consideration the Several petitions of the upper Inhabitants of the Parish of *S<sup>t</sup>. Stephens* in the County of *King & Queen* and of the Vestry and other Inhabitants of the said Parish



Parish and were come to a Resolution thereupon which they had directed him to report to the House And he read the said Resolution in his place and afterwards delivered it in at the Table where the same was read and agreed to by the House as follows

*Resolved*

That the said parish be Divided and that the Division begin from Cap<sup>r</sup> Todd's Landing along the main Road to *Mattapony* Run and from thence up the Eastermost main Branch of that Run to the County of *Effex* and that a Bill be prepared accordingly

*Ordered*

That the Committee for propositions and Greivances do prepare and bring in the said Bill.

Then the House Adjourned till *Monday* Morning eleven of the Clock.

*Monday May the 20<sup>th</sup> 1723.*

**A** PETITION of *John Dunwiddy* praying that a ferry may be appointed at his House over *Rappahanock* River was presented to the House and read.

*Ordered*

That leave be given to bring in a Bill according to the prayer of the said petition and that M<sup>r</sup> *Robinson* M<sup>r</sup> *W<sup>m</sup> Thornton* & M<sup>r</sup> *Mason* do prepare and bring in the same.

A petition of *Joseph Smith* was presented to the House & read praying that he may be heard by Council before the Committee of privileges and elections upon the Complaint of Sundry Inhabitants of the County of *Effex* against him and that the Clerk of the House may be admitted of his Council.

*Ordered*

That he have leave to be heard according to the prayer of the said Petition

A Bill for the Transportation of *Dick* and other Negro slaves was read the first time and ordered to be read a Second time,

A Bill directing the Tryal of Slaves committing Capital Crimes and for the more Effectual punishing Conspiracies and Infurrections of them and for the better Government of Negros Mulattos and Indians, bond or free, was read the second time & Committed

Then the House Adjourned till tomorrow morning Eleven of the Clock.—

*Tuesday May the 21<sup>o</sup> 1723.*

**M**R *McCarty* reported from the Committee to whom the Bill directing the Tryal of Slaves committing Capital Crimes and for the more effectual punishing Conspiracies and Infurrections of them & for the better government of Negros, Mulattos and Indians bond or free was Committed Several Amendments made to the Bill which they had directed him to report And he read the Amendments in his place & afterwards delivered the Bill with the Amendments in at the Table where the said Amendments were read and agreed unto by the House

*Ordered*

That the Bill with the Amendments be Ingrossed

A Petition of *John Lomax* was presented to the House & read praying the leave of the House to Vindicate his Character against the Aspersions cast upon it in the Answer of Col<sup>r</sup> *Joseph Smith*

*Resolved.*

That the said petition be rejected—

M<sup>r</sup> *Randolph* reported from the Committee of Priviledges & Elections That the Committee had entered upon the Consideration of the petition of Sundry Inhabitants  
of

of the County of *Effex* to them refered and found the same grounded on a petition formerly preferred to the House of Burgeffes in *November 1720* and that the facts laid down in the petition to this House can't be well Inquired into without confidering and Inquiring into the facts of the first petition, And desired the direction of the House therein—

*Ordered*

That it be an Instruction to the said Committee That they procede only on the Matters Charged in the petition to them referred

*Ordered*

That it be an Instruction to the Committee appointed to prepare and bring in a Bill for the further improving the staple of Tobacco that they be Impowered to receive a Clause or Clauses for the restraining in some measure the planting of Tobacco

Mr *Willis* (according to Order) presented to the House a Bill for vesting the free simple of Certain Intailed Lands in *Peirce Butler* and *Paulin Anderjon* and for vesting other lands therein mentioned in *Robt. Stubblefield* in fee-tail which was read the first time and ordered to be read a Second time.

The Orders of the day being read

*Resolved* that this House will on *Thursday* next resolve itself into a Committee of the whole House to Consider further of the Governors Speech.

The House proceeded to take into consideration the Answer of Col<sup>o</sup> *Joseph Smith* to the Complaint of *John Lomax* and the same was read as follows

Mr *Speaker*

I am brought hither by your warrant to answer a Petition of of Mr *Lomax* wherein I am Charged with haveing refused to Sit as a Justice of the peace for the County of *Effex* to receive and Certifie a greivance offered and Signed by fundry people of that County contrary to the Law and the duty of my Office

I must observe in the first place that if it be True That I have done anything against Law and my duty I conceive I am punishable by those Laws which I have Offended in another place in some Court of Judicature which hath competent Jurisdiction of the matter.

I am not at all apprehensive of any disadvantage I shall ly under by haveing my Actions Inquired into in any manner whatsoever but am desirous to Justifie my Self as publickly as my Accuser has Charged me and have very great Confidence in the Justice of this House. Yet if the Matter Complained of may be redressed in the ordinary course of Law I submit whether it be Consistent with the Honour and dignity of this House to interpose their Power and Authority.

Mr *Speaker*

I own I am a Justice of the peace of the County of *Effex* and did sit as such at the last Court of Claims held for that County until all the Claims of the County were proved and Certified But when the Clerk had read a paper which I found to be a false and Malitious Libel against me, I did rise from the Bench thinking (and I hope very Justly to[o]) That I was not bound by any Law either of God or man to give a Sanction by any Act of mine to a paper so false as that was, and so Injurious to my Character.

If there had been a Sufficient Number of Justices to have made a Court I had some reasons to have Offered against certifying the paper as a Greivance of the people For it was brought in and thrown upon the Table by one *Hawkins* who did not as I remember move to have it certified until I removed from the Bench, It was not signed by any one of the persons whose names are Subscribed to it in the Court as by law it ought to have been And of all that Roll of Subscribers there was not above three or four in Court and I can venture to say that not many of them saw the paper.

And as I knew very well that a former petition of the like nature procured by Mr *Lomax* and by him presented to the last General Assembly had many people's names to it who never saw nor heard its Contents nor knew that their names had been made Use of; as Several of them whose Depositions I have ready to lay before the House have Declared upon Oath, I Judged it would have been a very Irregular proceeding in me to  
certifie

certifie that to be a grievance of persons who did not appear to own their hands and who in all probability might know as little of this paper as others did of the former whose names were set thereto.

I hope these are Objections of no small weight, And must I first have Offered them to the Court and afterwards Judged upon them myself? Indeed if I had and the rest of the Court had been of my Opinion My answer would surely have made it matter of Complaint against me that I had been a Judge in my own Case And under such an Imputation I should have been in a greater Confusion than I think I have reason to be in my present Circumstances

*M<sup>r</sup> Speaker*

This *Lomax* is my professed Enemy and has got a habit of aspersing me He has applied himself most Assiduously for three Year past to stir up the people to disobey and Contemn me both as an Officer of the Militia and a Civil Magistrate, And if any of the Subscribers have been punished they Owe it to him who persuaded them to Transgress, He has Inspired the people with Notions of Oppression which they never felt or thought of and I believe I may say he has vexed more people with his Importunities to sign the Invectives which his Invention has brought against me than ever I have done by the rigorous proceedings I am taxed with.

I hope *M<sup>r</sup> Speaker* while the House are considering the liberties of the people they will have some regard to Magistracy and not suffer it to be trampled upon and contemned by the meanness of the populace.

*Resolved.*

That Col<sup>o</sup> *Joseph Smith* in refusing to sit as a Justice of the peace of the County of *Effex* to make a Court to certify the Grievances of the people duly offered to the Court of Claims held for the said County before this Session of Assembly when he was one of the four members only then in Court, Hath been guilty of a Breach of his duty in that Office and Intrenched upon the Rights and privileges of the people of the said County.

*Ordered*

That the said Col<sup>o</sup> *Joseph Smith* be for his said Offence reprimanded by the Speaker. And he was called in to the Bar and received a Reprimand from the Speaker and was ordered to be discharged out of Custody paying fees.

A Bill for the Transportation of *Dick* and Negro Slaves was read the Second time and Committed

*Ordered* That M<sup>r</sup> *Dangerfield* have leave to go home

*Ordered* That M<sup>r</sup> *John Bolling* have leave to be Absent til *Tuesday* next

*Ordered* That M<sup>r</sup> *Mason* have leave to be Absent for ten days

*Ordered* That *Rice Hoe & George Mason* be at liberty to withdraw their petition in relation to the Town Land in the County of *Stafford* And that the Committee to whom it was referred be discharged from proceeding thereon

Then the House Adjourned till tomorrow morning eleven a Clock

*Wednesday May the 22<sup>d</sup> 1723.*

**A** BILL intituled *an Act directing the Tryal of Slaves committing Capital Crimes & for the more effectual punishing conspiracies and Insurrections of them and for the better Government of Negroes Mulattos and Indians bond or free* was read the third time

*Resolved* That the Bill do pass.

*Ordered*

That the Committee for propositions and Grievances do carry the Bill to the Council for their Concurrence

A Bill for vesting the free Simple Estate of certain Intaled lands in *Peirce Buttler* and *Paulin Anderson* and for vesting other Lands therein Mentioned in *Rob<sup>t</sup> Stubblefield* in

in ffeetail was read a second time and Several amendments were propofed to the faid Bill and agreed unto by the Houfe

*Ordered*

That the Bill with the Amendments be Ingroffed

Then the Houfe Adjorned till to morrow Morning Eleven a Clock

*Thursday May the 23<sup>d</sup> 1723.*

**M**R *Randolph* reported from the Committee of Privileges and elections That the faid Committee had had under their confideration the matter of the petition of Divers Inhabitants of the County of *Effex* complaining of great Severities Exercifed by Col<sup>o</sup> *Joseph Smith* in Levying of fines upon orders of a Court Marfhall and he read the report in his place & afterwards delivered it in at the Table where the fame was read and is as follows.

This Committee having had under their Confideration the petition of Several Inhabitants of the County of *Effex* complaining of great Severities Exercifed by Col<sup>o</sup> *Joseph Smith* in Levying of Fines upon orders of a Court Marfhall Are of Opinion that the matter complained of relateing to the Severity of Levying the fines is True But that thofe Fines are yet in the hands of the fheriffs of that County and have not been converted to the ufe of the Militia Officers as the petitioners have fugged

It Appears to this Committee That upon a petition of the like nature the Houfe of Burgefles on the first of *June 1722* Addreffed the late Governor That he would be pleafed to inquire into the proceedings of that Court and that he would remit the fines impofed on fuch perfons who had not Offended in Contempt of the Authority of Government and alfo that he would fhew his diflike and Difcountenance fuch Perfons who had Acted contrary to the True intent of the Law to which Addrefs the Governor was pleafed to give this anfwer

I will inquire into the proceedings of the *Effex* Court Marfhall and if I find them unwarrantable I fhall immediately withdraw my Commiffion from fuch Officers as may appear to be the Tranfgreffors But however matters may be proved feeing the Houfe is pleafed to favour the cafe of the petitioners I will fhew them all the Lenity that is now Defired even tho' I extend towards them more than I think they deferve.

It alfo appears to this Committee that in a few weeks after y<sup>e</sup>. prorogation of that General Affembly The Then Governor undertook his Voiage to *new York* in order to Negotiate a peace with the Northern Indians and that before his return the prefent Governor was Settled here for which reafon we are of Opinion the petitioners were not redreffed

*Ordered*

That an Addrefs be made to the Governor that he will be pleafed to relieve the perfons grieved by the levying of the faid fines and difcountenance the faid Col<sup>o</sup> *Joseph Smith* in fuch manner as he fhall think he deferves and that the Committee of Privileges and Elections do prepare and draw up the faid Addrefs.

*Ordered*

That it be a ftanding Rule of this Houfe that when any perfon or perfons fhall hereafter be fummoned by the fpeakers warrant to appear as witneffes before the Houfe of Burgefles or any Committee thereof He fhe or they be not oblidged to Attend purfuant to that Warrant until the party at whole request he fhe or they fhall be fo fummoned to [do] pay or fecure to pay him her or than [them] for his her or their Attendance coming and going as Wittneffes attending the General Court are by Law Allowed.

M<sup>r</sup>. *McCarty* reported from the Committee to whom the Bill for the Tranfportation of *Dick* and other Negro flaves was Committed Several amendments made to the Bill which

which they had directed him to report to the House and he read the said Amendments in his place and afterwards delivered the Bill with the Amendments in at the Table where the said amendments were read and agreed unto by the House

*Ordered*

That the Bill with the Amendments be Ingrossed

A Bill intituled *an Act for vesting the freeimple Estate of Certain intailed Lands in Peirce Buttler and Paulin Anderson and for vesting other Lands therein Mentioned in Rob<sup>t</sup> Stubblefield in feetail* was read the Third time.

*Resolved*

That the Bill do pass

*Ordered*

That M<sup>r</sup> *Braxton* M<sup>r</sup> *Willis* M<sup>r</sup> *Johnson* and M<sup>r</sup> *Cook* do carry the Bill to the Council for their Concurrence.

A Petition of the Inhabitants and freeholders of the City of *Williamsburgh* whose names are thereunto Subscribed was presented to the House and read praying that the Jurisdiction of the Court of Huftings of the said City may be enlarged

*Ordered*

That the said petition do ly upon the Table.

*Ordered*

That a Committee be Appointed to pass the Treasurers Accounts and to report the Ballance as the same shall appear to them, and it is referred to M<sup>r</sup> *Harrison* and M<sup>r</sup> *Blair*

The Orders of the day being read

*Resolved*

That the House will on *Tuesday* next resolve it self into a Committee of the whole House to Consider further of the Governors Speech—

Then the House Adjourned till to morrow morning Eleven a Clock.

### *Fryday May the 24<sup>th</sup> 1723*

A PETITION of *John Randolph* praying to be Allowed for fundry Copies of the Journal & Laws of the last session of Assembly was presented to the House and read And was Ordered to be referred to the Committee for public Claims

A Bill intituled *an Act for the Transportation of Dick and other Negro Slaves* was read the Third time

*Resolved*. That the Bill do pass

*Ordered*

That the Committee for propositions and Greivances do carry the Bill to the Council for their Concurrence

Then the House Adjourned till to Morrow Morning Eleven a Clock.—

### *Saturday May the 25<sup>th</sup> 1723.*

A BILL for the better & more effectual Improving the staple of tobacco was read the first time and Ordered to be read a Second time

An Ingrossed Bill from the Council Intituled *an Act for the better Securing the payment of Levies & Restraint of Vagrant and Idle people and for the more effectual discovery and prosecution of persons having Bastard Children* was read the first time & Ordered to be read a Second time.

M<sup>r</sup> *Randolph* reports from the Committee appointed to prepare and draw up an Address to the Governor (That he would be pleased to relieve the persons complaining against Col<sup>o</sup> *Joseph Smith* of his Levying Sundry fines upon them, and to discountenance

nance the said *Joseph Smith* in such manner as he should think he deserves) That the Committee had agreed upon an Ad'refs which he read in his place and afterwards delivered in at the Table where the same was read.

*Ordered*

That the said Ad'refs be taken into Consideration on *Monday* next.  
Then the House Adjourned till *Monday* morning Eleven a Clock.

*Monday May the 27<sup>th</sup> 1723*

**M**R *Harrison* Reported that the persons appointed had according to Order Examined the Treasurers Accounts and found the same truly stated and that the Ballance due exclusive of the Sum's already appropriated is Nine hundred Twenty six pounds nine shillings one penny And the said Accounts were passed.

*Ordered*

That Mr *Harrison* and Mr *Blair* do carry the said Accounts to the Council

The House (according to Order) proceeded to take into Consideration the Ad'refs to the Governor in relation to the Complaint of Sundry Inhabitants of the County of *Essex* against Col<sup>o</sup> *Joseph Smith* and the same being read was agreed to with an Amendment and is as follows.

*To the Hon<sup>bl</sup>. Hugh Drysdale Esq<sup>r</sup>. His Majesties Lieut. Governor & Commander in Chief of Virginia—*

*The Humble Ad'refs of the House of Burgeffes*

We His Majesties most dutiful and Loial Subjects the Burgeffes now in Assembly humbly take leave to represent to your Honor That Several of the Inhabitants of the County of *Essex* by their petition to us have complained of great Severities exercised on them by Col<sup>o</sup> *Joseph Smith* in levying fines upon Orders of a Court Marshal held in that County The Matter of which Complaint being Examined into appears to us to be True and those fines not being yet appropriated We humbly presume that they be disposed of in such manner as you shall See fit.

Therefore in regard to the severe Treatment those persons have met with We humbly beseech you That you will be pleased to relieve them and discountenance the said *Joseph Smith* in such manner as you shall think proper.

*Ordered*

That the Committee of Privileges and Elections do present the said Ad'refs.  
Then the House Adjourned till to Morrow morning Eleven a Clock

*Tuesday May 28<sup>th</sup> 1723.*

**T**HE several petitions following *Viz<sup>t</sup>*.

A Petition of the Vestry of the parish of *James City* in behalf of themselves & the rest of the Inhabitants of the said Parish praying the same may be enlarged also

A Petition of Sundry Inhabitants & freeholders of that part of *Wilmington* parish which lieth below *Hooker's* Mill praying that that part of the said parish may be Added to the parish of *James City*.

were Referred from the Governor & Council to the House and were read.—And  
The Several petitions following *Viz<sup>t</sup>*.

A Petition of the Freeholders & principal Inhabitants of that part of *Wilmington* Parish which lieth on the North side *Chicohominy* river above *Diafcum* Creek in *James City* County praying that That part of the said parish may be United to the parish of *S<sup>t</sup>. Peter's* in the County of *New Kent*.

Also

A Petition of the freeholders and Inhabitants of that part of *Wilmington* parish which lieth on the South side of *Chicohominy* River in the County of *Charles City* praying that the said parish may be dissolved.

Were presented to the House and read

*Ordered*

That a Committee be appointed to Examine the Matter of the said petitions and to report the same with their Opinion thereupon to the House, and it is referred to

*Mr Clayton*

*Mr Blair* . . . . . *Mr Masfie*

*Mr Jn<sup>s</sup>. Thorton* . . . . . *Mr Stith*

*Mr Broadnax* . . . . . *Mr Harwood*

And they are to meet to morrow Morning in the Chamber appointed for the Committee for public Claims and are empowered to Sit from day to day and to send for persons papers & Records for their Information

A Message from the Council That they have passed a Bill Intituled *an Act for the Transportation of Dick and other Negro Slaves*.

And also a Bill intituled *an Act for vesting the Fee Simple Estate of Certain Intailed Lands in Pierce Buttler and Paulin Anderfon And for vesting other Lands therein Mentioned in Robert Stubblefield in fee tail* without Amendments

The Several Petitions following *Viz<sup>t</sup>*:

A Petition of Sundry Inhabitants of the upper part of the County of *James City*

A petition of Sundry Inhabitants of the Lower part of the said County

A petition of Sundry Inhabitants of the Lower part of the County of *New Kent* And

A petition of Sundry Inhabitants of the upper part of the County of *York* complaining of the inconvenient Length & Situation of the said Counties and praying the same may be conveniently Divided—Also

A petition of Sundry Inhabitants of the County of *Warwick* complaining of the smallness of the said County & praying that the same may be dissolved, Also

A petition of Sundry other Inhabitants of the said County praying that the said County may stand as it is. Also

A petition of Sundry Freeholders and Principal Inhabitants of the County of *York* praying That all proposals for altering the Bounds of the said County may be rejected, Also

A Petition of Sundry Inhabitants of the Lower part of the County of *New Kent* praying that the said County may Continue as it is Were presented to the House and read

*Resolved*

That the said Petitions be rejected

*Mr Randolph* acquainted the House that the Address to the Governor desiring him to Relieve the Several persons complaining against Col<sup>o</sup> *Joseph Smith* and to discountenance him for his proceedings had been presented And that the Governor was pleased to say. He would take care to redress the Grievances of those persons injured by Col<sup>o</sup> *Joseph Smith* and would discountenance him as well as all other persons that shall presume to extend their Commands beyond the Limits of the Law.

An Ingrossed Bill from the Council Intituled *an Act for the better securing the payment of Levies & Restraint of Vagrant and Idle people and for the more effectual discovery & prosecution of persons having Bastard Children* was read the Second time

*Resolved*

That the said Bill be committed to the Committee for propositions and Grievances.

A Bill for the better and more effectual Improveing the Staple of Tobacco was read the second time and Comitted

*Resolved*

*Resolved*

That this Houfe will to Morrow Refolve it Self into a Committee of the whole Houfe to Confider further of the Governors Speech.

Then the Houfe Adjourned till to morrow morning Eleven a Clock

*Wednesday May the 29<sup>th</sup> 1723.*

**A** PETITION of *Sarah Brechin* was prefented to the Houfe & read praying that leave may be given to bring in a Bill for vefting the Fee fimple Eftate of Two hundred Acres of Land whereof fhe is Seized in feetail in *W<sup>m</sup> Merriwether* of the County of *New Kent* Gent. and for vefting five Negros of the faid *W<sup>m</sup> Merriwethers* of greater Value in the faid *Sarah* in feetail according to an Agreement between them

*Ordered*

That the faid petition be refered to the Confideration of a Committee and that they do examin the matter thereof and report the fame as it fhall appear to them to the Houfe

And a Committee was appointed Accordingly

The Houfe (according to Order) refolved itfelf into a Committee of the whole Houfe to Confider further of the Governors Speech & after fome time fpent therein *M<sup>r</sup> Speaker* refumed the Chair and *M<sup>r</sup> Randolph* reported from the Committee That they had gone thro' the Governors Speech and were come to feveral refolutions thereon which they had directed him to report to the Houfe, And he read the report in his place and afterwards delivered it in at the Table where the fame was read.

*Ordered*

That the faid report be taken into Confideration to morrow.

Then the Houfe Adjourned till tomorrow Morning Eleven a Clock

*Thursday May the 30<sup>th</sup> 1723.*

**A** WRITTEN Meffage from the Governor was delivered by *M<sup>r</sup> Robertfon* as follows—  
*M<sup>r</sup> Speaker and Gentlemen of the Houfe of Burgefles*

His Majeftie having been pleafed to Tranfmit hither An Additional Inftitution relating to the Trade & Shiping of *Great Brittain* and haveing commanded me to Communicate the fame to the Affembly I Judge it therefore neceffary at this your firft feffion to fend you a Copy of that Inftitution not doubting you will readily conform to his Majefties pleafure fignified therein.—

*Hugh Dryfdale*

And the faid Inftitution was Read,

*M<sup>r</sup> Harrifon* reported from the Committee for public Claims That the faid Committee had had under their Confideration All the public Claims of the Country and had agreed upon a report which they had entered in a book and he delivered the fame in at the Table.

*Ordered*

That the faid Book do ly upon the Table.

*M<sup>r</sup> William Robinfon* reported from the Committee appointed to Examine the Matter of the petition of *John Fox* That the faid Committee had had the fame under their Confideration and that the faid *Fox* had fully proved the Allegations of his faid petition

*Ordered*

That leave be given to bring in a Bill for confirming the Title of the faid *John Fox* to Seven hundred and fifty Acres of Land in the County of *King William* formerly purchafed of the *Pamunkey* Indians and that *M<sup>r</sup> William Robinfon* *M<sup>r</sup> Merriwether* & *M<sup>r</sup> Efcridge* do prepare and bring in the fame.



Mr *McCarthy* reported from the committee to whom the Bill for the better and more Effectual Improving the staple of Tobacco was Committed, Several amendments made to the Bill which they had directed him to report to the House And he read the Amendments in his place and afterwards delivered the Bill with the Amendments in at the Table where the Amendments were read.

*Ordered* That the said Amendments be taken into Consideration tomorrow.

Mr *McCarthy* also reported from the Committee to whom the Bill sent from the Council Intituled *an Act for the better Secureing the payment of Levies & Refstraint of Vagrant and Idle people and for the more effectual discovery and prosecution of persons having Bastard Children* was Committed Several Amendments agreed upon by the Committee which he read in his place and afterwards delivered the Bill with the Amendments in at the table where the said Amendments were read and agreed to

*Ordered*

That the Bill with the Amendments be read a third time

And the said Bill with the Amendments was read the Third time

*Resolved*

That the Bill with the Amendments do pass and

*Ordered*

That a Committee for propositions and Greivances do carry back the said Bill with the Amendments to the Council for their Concurrence.

Mr *John Thornton* Reported from the Committee appointed to Examine the matter of the petition of *Sarah Brechin* that the said Committee had had the same under their Consideration and that the Allegations of the said petition had been fully proved to them

*Ordered*

That Leave be given to bring in a Bill for vesting the free simple Estate of 200 Acres of Land in the County of *Hanover* whereof the said *Sarah Brechin* is Seized in free tail in *W<sup>m</sup> Merriwether* of the County of *New Kent* Gent. And for vesting five Negros of the said *William* of greater value in the said *Sarah* in free tail And that Mr *J<sup>n</sup> Thornton*, Mr *Maffie*, Mr *Harris*, Mr *Aylett* & Mr *Whitehead* do prepare and bring in the said Bill.

*Ordered*

That the Consideration of the report of the Committee of the whole house made upon the further Consideration of the Governors Speech be Adjourned till to morrow.

Then the House Adjourned till to morrow morning eleven of the Clock.

*Fryday May the 31<sup>o</sup> 1723.*

**O**RDERED That Mr *Crafford* have leave to be Absent till *wednesday* next.

The House (According to Order) proceeded to take into Consideration the Amendments made to the Bill for the better and more effectual Improving the staple of Tobacco and the said amendments were read and (with an Amendment) agreed to and other Amendments were made to the said Bill at the Table.

*Ordered*

That the Bill with the Amendments be Ingrossed.

The House (according to Order) proceeded to take into Consideration the Resolutions of the Committee of the whole House upon the further Consideration of the Governors Speech and the same being read were agreed to by the House with some Amendments as follows

*Resolved*

That a Duty be laid on Liquors and flaves Imported.

*Resolved*

That the Duties be as follow, To wit, On Rum, Brandy and other distilled Spirits and on Wine, four pence, a Gallon, On Cyder bear and Ale one Penny a Gallon, On Slaves Fourty shillings each flave.

*Resolved*

*Resolved*

That all the Liquors imported in Veffels solely belonging to the Inhabitants of this Country fhall be liable to no more than half the Duties afforementioned

*Resolved*

That when any perfon fhall pay the duties afforefaid with money of his own Importation a Difcount of fifteen ꝯ Cent. fhall be Allowed him on all Duties fo paid.

*Ordered*

That the Committee for propofitions and Greivances do prepare and bring in a Bill purfuant to the faid Refolutions

Then the Houfe Adjorned till to Morrow morning Eleven a Clock.

*Saturday June the 1<sup>o</sup> 1723*

**A** BILL intituled *an Act for the better and more effectual Improveing the ftaple of Tobacco* was read the Third time and fome amendments being made at the Table

*Resolved.* That the Bill do pafs—

*Ordered*

That the Committee for propofitions and Greivances do carry the Bill to the Council for their Concurrence.

A Written Meffage from the Governor was delivered by M<sup>r</sup> *Robertfon*, as follows  
M<sup>r</sup>. *Speaker and Gent<sup>rs</sup> of the Houfe of Burgeffes.*

Upon Examination of the Arms in the Magazine and Governors Houfe I find great part of them very much out of Repair And in the Condition they now are Unfit for Service

As thefe Arms were at firft given by the Crown for the defence of the Country and are Lodged there to be ready on any Suddain Emergency You will I hope concur with me in Opinion That they be made fit for public Service at the publick Charge And as I have caufed a Survey of them to be made I Judge the fum neceffary for this purpose (as near as it can be Computed) may Amount to One hundred pounds And that no further Charge may Accrue on this Account I have a propofal from a perfon able to give £ 2000. Security to keep them in good Order hereafter for the Annual Salary now eftablifhed on the Armourer and keeper of y<sup>e</sup> Magazine

This Expence being fo neceffary for the public fafety I doubt not you will Chearfully come into it efpecially when you confider how great a Charge has lately been defrayed out of the King's Revenue for Batteries to defend your Rivers and how much fuch a Supply of Serviceable Arms is wanting to fit out your Militia whenever they fhall be called together for the defence of the Country

*Hugh Dryfdale*

*Resolved*

That this Houfe will take the faid Meffage into Confideration on *Tuesday* next.

A Meffage from the Council that they have agreed to all the Amendments made by the Houfe to the Bill fent down from them Intituled *An Act for the better Secureing the payment of Levies and Reftraint of Vagrant and Idle people and for the more Effectual Difcovery and profecution of Perfons haveing Bastard Children* Except the firft from which they defire the Houfe to recede.

*Resolved.* That this Houfe doth agree to leave out the faid Amendment.

*Ordered.*

That a meffage be fent to the Council to Acquaint them that this Houfe hath agreed to leave out their Amendment (to which the Council have not agreed) to the faid Bill and that the Committee for propofitions and Greivances do go up with the Meffage.

A Complaint being made by M<sup>r</sup>. *Mathew Kemp* a Member of this Houfe of a breach of privilege committed againft him by One *William Hopkins* in uttering in a public Company

Company several rude Contemptuous and undecent Expreffions concerning the faid M<sup>r</sup> *Kemp's* Conduct in the Houfe.

*Ordered.*

That the faid *William Hopkins* be fent for in Cuftody of a Meffenger Attending this Houfe to anfwer at the bar of the Houfe his breach of privilege in Uttering feveral rude Contemptuous and Undecent Expreffions concerning the faid M<sup>r</sup> *Kemp's* Conduct in this Houfe.

M<sup>r</sup> *John Thorton* (According to Order) prefented a Bill for vefting the fee fimple Eftate of certain intailed Lands in W<sup>m</sup> *Merriwether* Gent<sup>n</sup> and for Vefting five Negro Slaves therein Mentioned in *Sarah Brechin* & the heirs of her body which was read the firft time & ordered to be read a Second time.

Then the Houfe Adjourned till *Monday* morning Eleven a Clock.

### *Monday June the 3<sup>d</sup> 1723*

**M**R *William Robinson* (According to Order) prefented a Bill for Confirming the Title of *John Fox* Gent. to Certain Lands formerly purchafed of the *Pamunky* Indians which was read the firft time and ordered to be read a Second time

A Bill for vefting the fee fimple Eftate of certain untailed Lands in W<sup>m</sup> *Merriwether* Gent. and for vefting five Negro Slaves therein Mentioned in *Sarah Brechin* and the heirs of her body was read the Second time and an Amendment being made at the Table

*Ordered*

That the Bill with the Amendment be Ingroffed.

*Ordered*

That a Bill be brought in for Reviving the Act (made in the fourth Year of the Reign of the Late Queen *Anne*) for Security & Defence of the Country in times of Danger and that the Committee for propofitions and Greivances do prepare and bring in the faid Bill.

Then the Houfe Adjourned till to Morrow morning Eleven a Clock.

### *Tuesday June the 4<sup>th</sup> 1723.*

**A** BILL for the Settling and better Regulation of the Militia was read the firft time and ordered to be read a Second time.

The Houfe (According to Order) proceeded to take into Confideration the Governors written Meffage relating to the Arms in the Magazine and Governors Houfe and the fame being read

*Refolved*

That the fum of One hundred pounds out of the public money in the hands of the Treafurer be paid to the Governor to be Employed in repairing the Arms in the Magazine and Governors houfe—

*Ordered*

That the Committee for propofitions and Greivances do prepare and draw up an Anfwer to the faid Meffage

A Bill for confirming the Title of *John Fox* Gent to certain Lands formerly purchafed of the *Pamunky* Indians was read the Second time

*Ordered*

That the Bill be Ingroffed

A Bill intituled *an Act for vefting the fee fimple Eftate of certain Intailed Lands in W<sup>m</sup> Merriwether Gent and for Vefting five Negro flaves therein Mentioned in Sarah Brechin and the heirs of her body* was read was read the Third time.

*Refolved*

*Resolved*

That the Bill do pass.

*Ordered*

That the Committee who prepared the said Bill do carry the same to the Council for their Concurrence

*Ordered*

That leave be given to bring in a Bill for enlarging the Jurisdiction of the Court of Huftings in the City of *W<sup>m</sup>sburgh* within the Limitts of the said City and that M<sup>r</sup> *Clayton* and M<sup>r</sup> *Blair* prepare and bring in the same.

Then the House Adjourned till to morrow Morning Eleven a Clock—

*Wednesday June the 5<sup>th</sup> 1723.*

A MESSAGE from the Council that they have made some Amendments to the Bill intituled *An Act directing the Tryal of Slaves committing Capital Crimes and for the more Effectual punishing conspiracies and Insurrections of them and for the better Government of Negros Mulattos and Indians bond or free* to which they desire the Concurrence of this House

The petitions of Sundry Inhabitants of the parish of *Wilmington* in the Counties of *Charles City* and *James City* whose names are thereunto Subscribed were presented to the House and read praying the said parish may not be Divided or dissolved.

*Ordered*

That the said petitions be referred to the Consideration of the Committee to whom the petitions of divers other Inhabitants of the said parish and the parish of *James City* are referred.

A Paper subscribed by divers other Inhabitants of the said parish of *Wilmington* was also presented to the House and Read—Setting forth how much they are dissatisfied with the proposals for dividing or Dissolving the said parish—

*Resolved*

That it is the Opinion of the House that the said paper is drawn up in terms very rude and undecent. And

*Ordered.*

That the same be torn & Thrown under the Table.—

A Bill for Laying a Duty on Liquors and slaves was read the first time and ordered to be read a Second time.

A Bill for reviving the Act intituled *an Act for Security and defence of the Country in times of Danger* was read the first time and ordered to be Read a Second time.

A Petition of the keepers of the Ferry over *James River* at *James Town* and *Swans Point* was presented to the House and read praying That the price for the Ferriage of a man and a horse may be raised to three bitts.

*Resolved*

That the said petition be rejected.

A Bill intituled *an Act for Confirming the Title of John Fox to certain Lands formerly purchased of the Pamunkey Indians* was read the Third time and an Amendment being made at the table.

*Resolved*

That the Bill do pass

*Ordered*

That the Committee who prepared the said Bill do carry the same to the Council for their Concurrence.

The House proceeded to take into Consideration the Book of Claims and part thereof being read and agreed to

*Ordered*

*Ordered*

That the further Consideration thereof be Adjorned

Then the Houfe Adjorned till to morrow Morning Eleven a Clock.—

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*Thursday June the 6<sup>th</sup> 1723.*

**M**<sup>R</sup> *McCarty* reported from the Committee to whom it was referred to prepare and draw up an Answer to the Governors written Message of the First Instant An Answer drawn up in form of an Address by the Committee which he read in his place and afterwards delivered it in at the Table where it was read and agreed to and is as follows.

*To the Hon<sup>ble</sup> Hugh Drysdale his Majesty's Lieu<sup>t</sup>. Govern<sup>r</sup>. of Virginia, May it please yo<sup>r</sup>. Hon<sup>r</sup>.*

The Burgeffes having taken into Consideration your Honours Message of the first instant humbly beg leave to return Your Honour the thanks of this House for the care you have been pleased to take in Inspecting the Arms in your House & the Magazines.

And as we are Satisfied those Arms cannot be of Service in the Condition they now are We have unanimously resolved to give the Sum of One Hundred pounds to be laid out in putting them in putting them into repair in such manner as to your Honour shall Seem proper not in the least doubting you will give such direction for the Ordering those Arms as may render them Usefull for the Service of the Country.

*Ordered*

That the said Address be fairly Transcribed and presented by the Committee for propositions and greivances

The House proceeded to take into Consideration the Amendments made by the Council to the Bill intituled *an Act directing the Tryal of Slaves Committing Capital Crimes and for the more effectual punishing Conspiracies and Insurrections of them and for the better Government of Negros Mulatto's and Indians bond and free* And the said Amendments being severally read some of them were agreed to and some disagreed to by the House.

*Ordered*

That a Message be sent to the Council to desire them to pass the said Bill with the Amendments Agreed to by this House and that the Committee for propositions and Greivances do go up with the Message

A Bill for the Settling and better regulation of the Militia was read the Second time and Committed

A Bill for Laying a duty on Liquors and Slaves was read the Second time.

*Ordered*

That the Bill be Ingrossed.

A Bill for reviving the Act intituled *an Act for Security and defence of the Country in times of Danger* was read the Second time

*Ordered*

That the Bill be Ingrossed.

Then the House Adjorned till to morrow morning Eleven a Clock—

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*Fryday June the 7<sup>th</sup> 1723.*

**T**HE House being acquainted That Mr *William Hopkins* attended at the door in Custody of Messenger to Answer His Breach of Privilege against Mr *Kemp* a Member of this House in uttering Several rude contemptuous and undecent Expressions concerning Mr *Kemps* Conduct in this House.

He was called in to the bar and being by the Speaker Acquainted with the Complaint against him he said he could give no particular Answer to so general a Charge and unless he

he knew the words which he was Charged with Speaking did not know whether he was rightly Accused or not But when he should know the particular matter whereof he was Accused he did not Doubt Justifying himself, and then withdrew

*Resolved*

That this House is Satisfied that the said *W<sup>m</sup> Hopkins* is Guilty of the said Breach of Privilege

And he was again called in to the bar and standing in an Insolent posture was ordered to withdraw And did withdraw Accordingly.

*Ordered*

That the said *William Hopkins* be brought to the bar and that he there upon his knees acknowledge his Offence and ask pardon of this House and *M<sup>r</sup> Kemp* for his said Breach of privilege And to the end his submission may be public

*Ordered*

That the Doors be Opened

And he was accordingly brought to the Bar and being acquainted by the Speaker with the Order of the House Refused to make any such Acknowledgment or to ask pardon & withdrew.

*Ordered*

That the said *W<sup>m</sup> Hopkins* remain in Custody of the Messenger until further Order

A Message from the Council that they have made some Amendments to the Bill intituled *an Act for the better and more Effectual Improving the staple of Tobacco* to which they desire the Concurrence of this House

And that they have passed a Bill intituled *an Act for vesting the Fee simple Estate of certain intailed lands in W<sup>m</sup> Merriwether Gent. and for vesting five negro Slaves therein Mentioned in Sarah Brechin and the Heirs of her Body* without Amendments.

A Bill for dividing the parish of *S<sup>t</sup> Stephens* in the County of *King and Queen* was read the first time and ordered to be read a Second time

*M<sup>r</sup> McCarty* reported from the Committee to whom the Bill for the better Settling and Regulation of the Militia was committed Several amendments made to the Bill which they had directed him to report to the House And he read the Amendments in his place and afterwards delivered the Bill with the Amendments in at the Table where the said Amendments were read and (with an Amendment) agreed to by the House

*Ordered*

That the Bill with the Amendment be Ingrossed.

The House proceeded to the Consideration of the Book of Claims and the same being read thro' was agreed to.

Then the House adjourned till to morrow morning Eleven a Clock.

*Saturday June the 8<sup>th</sup> 1723.*

**A** BILL intituled *an Act for Levying a Duty on Liquors & Slaves* was read the Third time.

*Resolved*

That the Bill do pass.

*Ordered*

That the Committee for propositions and Greivancies do carry the Bill to the Council for their Concurrence

A Message from the Council that they have passed the Bill intituled *an Act for confirming the Title of John Fox Gent to certain Lands formerly purchased of the Pamunky Indians* without any Amendments.

The House upon a Motion [took] into Consideration the Insolent Behaviour of *W<sup>m</sup> Hopkins* at the bar of the House and his Contempt of the Authority of the House Yesterday.

*Ordered*

*Ordered*

That the said *W<sup>m</sup> Hopkins* be led thro' the Town in Custody of the Messenger by the Door Keepers of this House Attended by the Constaibles of the Town, from the Capitol Gate to the College Gate and back again with an Inscription in great Letters pind upon his Breaft in the following words ["For Insolent Behaviour at the Bar of the House of Burgeffes when he was there as an Offender and with obstinacy and Contempt disobeying their Order"] And in case he shall refuse to walk that he be Tied to a Cart and Drawn thro the Town, And that he be afterwards committed to the public Goal in *Willm'burgh* The Keeper whereof is hereby required to receive and there safely to keep him during the pleasure of this House.

*Ordered*

That Mr *Francis Thornton* have leave to go home for recovery of his Health.

A Bill intituled *an Act for reviving an Act Intituled an Act for Security and defence of the Country in times of Danger* was read the Third time

*Resolved*

That the Bill do pass.

*Ordered*

That the Committee for propositions and Greivances do carry the Bill to the Council for their Concurrence.

*Ordered*

That the Bill for dividing the parish of S<sup>t</sup> S[t]ephens in the County of *King and Queen* be read a Second time on *Tuesday* next.

A Motion being made in behalf of *W<sup>m</sup> Hopkins* that he may have leave to petition this House for a Mitigation of his punishment and the Question being put

*Resolved* in the affirmative and

A Petition of the said *W<sup>m</sup> Hopkins* was brought up to the table and read, Expressing his sorrow for his Offence and praying to be Admitted to Undergo the Censure of the House according to the order of Yesterday

*Ordered*

That the said petition be taken into Consideration on *Monday* next

Then the House Adjourned till *Monday Morning Eleven a Clock*—

### *Monday June the 10<sup>th</sup> 1723.*

**A** PETITION of *W<sup>m</sup> Hopkins* was presented to this House and read Expressing his Sorrow for the Offence he had given the House and praying the mercy of the House towards him

*Ordered*

That the said *W<sup>m</sup> Hopkins* be immediately brought to the bar of the House.

The House proceeded to take into Consideration the Amendments made by the Council to the Bill intituled *an Act for the better and more Effectual Improving the staple of Tobacco* which were Severally read and some of the said Amendments were agreed to without, and some with Amendments, and some were disagreed to by the House

*Ordered*

That a Message be sent to the Council to desire them to pass the said Bill with the said Amendments as the same are agreed to by this House and that the Committee for propositions and Greivances do go up with the Message.

The doors being opened Mr. *W<sup>m</sup> Hopkins* was brought to the bar and being upon his knees was told by the Speaker that the House, notwithstanding his former behaviour was disposed to remit part of his punishment Upon his Acknowledging his Offence & asking pardon in that posture in such words as were by direction of the House drawn up which he did as follows

*Mr Speaker*

I do acknowledge I did behave myself rudely to Mr *Kemp* one of the Members of this House for which I did Justly incurr the Displeasure of the House I do also Acknowledge

edge that at the bar of this House my Conduct was undecent obstinate and Insolent whereby I have much Added to my first Offence and do deserve severe correction and am very thankfull for the favorable Mitigation of my Just punishment.

I am heartily sorry for this my rash undecent and Obstinate behaviour I do sincerely beg pardon of Mr. *Kemp* for my Offence towards him and of the whole house for the very great Trouble & Offence I have given them And I do faithfully promise you Mr. *Speaker* and this whole House That I will from this time carefully shew a decent Respect to every member of this House and do earnestly intreat their good will.

Then the said *W<sup>m</sup> Hopkins* was ordered to be discharged out of Custody paying fees.

Mr. *Kemp* acquainted the House he had some proposals to make touching the payment of all Debts Salaries and fees payable in Tobacco and for disposing of the sum of £4,000. part of a greater Sum appropriated by Act of Assembly made at the last sessions for encouraging the making tar & hemp in Arming the Militia, And that he had Committed some things which Occurred to his thoughts upon these heads to writing which he prayed might be received and the same was brought up to the table and read.

*Ordered*

That the same do ly upon the Table.

Then the House Adjourned till to morrow morning Eleven a Clock.

## *Tuesday June the 11<sup>th</sup> 1723.*

**A** MESSAGE from the Council that they Insist upon their Amendments to the Bill intituled *an Act for the Tryal of Slaves Committing Capital Crimes and for the more Effectual punishing Conspiracies and Insurrections of them and for the better Government of Negros Mulattos and Indians bond or free* which were disagreed to by this House and that they desire this House to recede from their disagreement and to pass the Bill as amended.

And the Question being put for receding from the disagreement to the said amendments.

It passed in the Negative

*Ordered*

That a further Message be sent to the Council to desire them to pass the Bill without those Amendments and that the Committee for propositions and Greivancies do go up with the said Message

A Bill for dividing the parish of *S<sup>t</sup> Stephens* in the County of *King* and *Queen* was read the Second time

*Ordered*

That the Bill be Ingrossed

A Bill intituled *an Act for the Settling and better Regulation of the Militia* was read the Third time and an Amendment being made at the table

*Resolved*

That the Bill do pass

*Ordered*

That the Committee for propositions and Greivancies do carry the Bill to the Council for their Concurrence.

*Ordered*

That the several sums following be paid of the public money in the hands of the Treasurer to the respective Officers of this Assembly.

To Mr. <i>J<sup>n</sup> Randolph</i> Clerc of the House of Burgeffes for a Copy of the Journal of this Session delivered to the Speaker. . . . .	£2 .. 10 .. —
To the said <i>J<sup>n</sup> Randolph</i> for his Service in the said Office this Session. . . . .	100 .. 0 .. —
To Mr. <i>W<sup>m</sup> Robertfson</i> Clerc of the General Assembly for his Service this Session. . . . .	50 .. 0 .. —
	To



To Mr <i>Godfrey Pole</i> Clerc of the Committee for propositions and Greivances.....	40 .. 0 .. —
To Mr <i>Miles Cary Junr</i> Clerc of the Committee for public Claims.....	40 .. 0 .. —
To Mr <i>LeNeve</i> Chaplain to the Houfe.....	20 .. 0 .. —
To <i>James Shields</i> Messenger .....	16 .. 0 .. —
To Mr <i>Richard Hickman</i> for the Doorkeeper of the Council.....	10 .. 0 .. —
To <i>James Haffel</i> } <i>Nicholas Wager</i> } <i>Robt. Dyer &amp;</i> } Doorkeepers. £7 .. 10 .. — each..... <i>Wm Francis</i> }	30 .. 0 .. —
<i>Ordered</i>	

That the said Allowances be Added to the book of Claims & that the Committee for public Claims do carry the same to the Council for their Concurrence.

A petition of *John Brush* being referred from the Governor & Council was read praying some Allowance for a Hurt received by firing the Great Guns on the Anniversary of his Majesties Birth day.

*Resolved*

That the same be rejected

Then the House Adjourned till to Morrow Morning Eleven a Clock.—

*Wednesday June the 12<sup>th</sup> 1723*

**O**RDERED

That Mr *John Holloway* and Mr *John Clayton* who have the care of Repairing the Capitol do cause all the windows in the Chambers upon the first and Second floor of the Capitol to be made to run with Leads and that the Charge thereof be paid of the public money now in the hands of *Peter Beverley Esq*: Treasurer of *Virginia*—

*Ordered*

That Mr *Blair* and Mr *Merriwether* do carry the Order to the Council for their Concurrence

Mr *Clayton* reports from the Committee to whom the Several petitions relating to the Dividing & Dissolving the parish of *Wilmington* in the Counties of *Charles City* & *James City* was referred the Matter as it appeared to the said Committee

*Ordered*

That leave be given to bring in a Bill for dissolving the said parish of *Wilmington* and for uniting the same to the parishes of *James City*, *Bland*, *St. Peters* and *Westover* in y<sup>e</sup> Counties of *James City New Kent*, & *Charles City* And that the said Committee do prepare and bring in the said Bill

Mr *M'Carty* reports from the Committee for propositions & Greivances that the said Committee had had under their Consideration several propositions and Greivances and had agreed upon a report which he read in his place and afterwards delivered in at the Table where the same was read and is as follows.—*Viz*:

Upon Consideration of the Several propositions from *Accomack County* That persons being Summoned as witnesses before a Single Justice may be paid by the parties cast and that every County on the public Charge may bear their own Expence.

*Resolved*

That the said propositions be rejected

On Consideration of the Several Grievances from *King William* and *Accomack* Counties complaining of many hardships in the Tobacco Law made last Year and praying the same may be amended or repealed.

*Resolved*

That the said Grievances are provided for by a bill already brought in

On

On confideration of the Greivance from *King* and *Queen* County and propofition that all Transfer Tobacco may be received at public Rolling houfes and Weights and Scales be provided by Receivers to be appointed at fuch Houfes and that all Tobacco Received may be Viewed by them And that fuch Receivers may give good Security for the True difcharge of their Truft and have proper fees allowed them.

*Refolved*

That the fame be rejected

On Confideration of the propofitions from the faid County That a Law may be made to Encourage the making of Linnen & Cotton Cloath and a reward allowed for every yard thereof to be made And that an Encouragement be given to white perfons importing themfelves hither and for importation of white fervants

*Refolved*

That the fame be rejected

On confideration of the propofition from the faid County That a Law may be made to Impower two or more Juftices in each County to bind out Vagrant and Idle perfons.

*Refolved*

That the fame is fufficiently provided for in the Bill brought in this Seffion

On Confideration of the feveral propofitions from *King* and *Queen* and *Hanover* Counties That a Large Impofition be Laid on Negros Imported and that a Law be made for laying a Duty on Liquors and Slaves.—

*Refolved*

That the fame are Sufficiently provided for by a Bill brought in this feffions

On Confideration of the propofitions from *Middlefex* County that Veftries may by law be refrained from levying more Tobacco than is declared Lawful and that the freeholders of Every parifh have liberty to Eleét fix honeft Houfekeepers Yearly to fit & have equal Voices with the Veftries in laying the parifh Levies

*Refolved*

That the fame be rejected

On Confideration of the propofition from *Alexander fforb's* Clerc for restraining and punifhing Blafphemous wicked and diffolute perfons and directing methods therein

*Refolved*

That the fame is already provided for by Law.

Upon Confideration of the propofitions from the faid *Alexander fforbes* that no Vagabond Couple be Suffered to Cohabit under Colour of a Marriad State without Exhibiting Credible Teftimony to Certifie their Marriage and the Lawfullnefs thereof

*Refolved*

That the fame be referred to the Confideration of the next Seffion of Affembly.

On Confideration of the propofition from the faid M<sup>r</sup> *fforbes* That fit perfons only be Allowed to teach in private Schools and that a Method may be prefcribed for Examining Licencing and Overfeeing private School Mafters

*Refolved*

That the fame be rejected

A Confideration of the Greivance and propofition from the faid M<sup>r</sup> *fforbes* Complainig of the Extravagant bounds of the two parifhes in *Surry* Two parifhes in the *Ifle of Wight*, and One parifh in *Nancemond* Countys fome of which are Seventy Miles in length and propofing their bounds may be limited and that the remote Inhabitants from the Churches already built may be Supplied with fome sober Capable perfon to read Divine Service in Such remote parts till their Numbers increafe to make a Compleate parifh

*Refolved*

That the fame be rejected

On confideration of the Greivance and propofition from the faid M<sup>r</sup> *fforbes* complaining of the hardships impofed by the Collectors of Miniſters Salaries and propoſing parifh Levies may be Tranſported by the people to fuch certain Convenient places

as the Miniſters & Veftry ſhall appoint And that the ſame may be paid in the Months of *November* and *december* Yearly.

*Reſolved*

That the ſame be rejected

The ſaid Report being again read was agreed to by the Houſe

A Meſſage from the Council that they deſire a free Conference to Morrow Morning at Eleven a Clock in the Conference Chamber touching the Amendments by them made to the Bill intituled *an Act directing the Tryal of Slaves committing Capital Crimes and for the more Effectual puniſhing Conſpiracies and Inſurrections of them And for the better Government of Negros Mulattos and Indians bond or free* which this Houſe hath diſagreed to and that they have Appointed three of their Members to be Managers And that they have agreed to leave out all the Amendments by them made to the Bill intituled *an Act for the better and more Effectual Improving the Staple of Tobacco* which are Diſagreed to by this Houſe Except that for ſtriking out the Repealing Clause which they do Inſiſt upon And alſo that they have agreed to the Amendments made by this Houſe to their Amendments.

*Reſolved*

That this Houſe will meet the Council at a free Conference at the time and place  
Appointed

*Ordered*

That—M<sup>r</sup>. Clayton

M<sup>r</sup>. Blair

M<sup>r</sup>. Braxton

M<sup>r</sup>. Bouſh

M<sup>r</sup>. Gray &

M<sup>r</sup>. Dangerfield

Do attend and Manage the Conference.

*Ordered*

That the ſaid Managers do acquaint the Council that this houſe hath agreed to meet them at a free Conference to morrow at Eleven a Clock in the Conference Chamber.

A Bill intituled *an Act, for dividing the Pariſh of S<sup>t</sup>. Stephens in the County of King and Queen* was read the third time and a Blanc in the ſaid Bill being filled up.

*Reſolved*

That the Bill do paſs

*Ordered*

That the Committee for propoſitions and Greivances do carry the Bill to the Council for their Concurrence

*Reſolved*

That this Houſe doth agree to ſtrike out the repealing Clause in the Bill Intituled *an Act for the better and more Effectual Improving the ſtaple of Tobacco*.

*Ordered*

That a Meſſage be ſent to the Council to Acquaint them that this Houſe hath agreed to ſtrike out the ſaid repealing Clause and that the Committee for propoſitions and Greivances do go up with the Meſſage.

Then the Houſe Adjourned till to Morrow Morning Eleven a Clock

*Thursday June the 13<sup>th</sup> 1723*

**M**<sup>R</sup> Clayton reports from the free Conference had with the Council the ſubſtance of what was delivered at the Conference.

The Houſe took the ſame into Conſideration, And The Queſtion being put that leave be given to propoſe Amendments to the Amendments made by the Council to the Bill intituled *an Act directing the Tryal of Slaves Committing Capital Crimes and for the more effectual puniſhing Conſpiracies and Inſurrections of them and for the Better Government of Negros Mullatto's and Indians bond or free*.

*Reſolved* in the Affirmative

*Ordered* that the further Conſideration of the ſaid Report be Adjourned till to-morrow.

*Reſolved*

*Resolved*

That the Salaries of the Burgeffes and all the Charges of this Seffion of Affembly be paid out of the public Money in the hands of *Peter Beverley Esq<sup>r</sup>* Treafurer at the Rate of 10<sup>s</sup> 3<sup>d</sup> hundred for Tobacco.

A Bill for Inlarging the Jurisdiction of the Court of Huftings in the City of *Williamsburgh* within the Limits thereof was read a Second time

*Ordered*

That the Bill be Ingroffed

A Bill for diffolving the parifh of *Willmington* in the Counties of *James City* & *Charles City* and Adding the fame to other parifhes was read the first time and Ordered to be read a Second time

Then the Houfe Adjourned till to morrow Morning Eleven a Clock—

*Fryday June the 14<sup>th</sup> 1723.*

**A** WRITTEN Meffage from the Governor and Council was delivered by *M<sup>r</sup> Robertfon* as follows

*M<sup>r</sup>. Speaker and Gentlemen of the Houfe of Burgeffes*

A Memorial having been laid before us by *John Carter Esq<sup>r</sup>* Secretary of this Colony Setting forth the Danger to which the Records & papers in his Office are Expofed by the Damps in that Office Occafioned for want of Chimneys therein, We think it proper to Signifie to your Houfe That We are of Opinion the Building Chimneys to that and the other Offices kept in the Capitol is Absolutely neceffary for the prefervation of the Records and recommend to your Houfe to take proper Measures for that purpofe and for defraying the Neceffary Charge thereof.

And the faid Memorial being read

*Resolved*

That *M<sup>r</sup>. John Holloway M<sup>r</sup>. John Clayton* and *Archibald Blair* be Impowered to agree with workmen to build two ftacks of Chimneys with two Fire places in each Chimney at the North end of the Capitol And that the Charge thereof be defrayed out of the public Money in the hands of *Peter Beverley Esq<sup>r</sup>*.

A Meffage from the Council That they have paffed the Bill intituled *an A<sup>d</sup> for laying a Duty on Liquors and Slaves—*

And Alfo the Bill intituled *an A<sup>d</sup> for reviving the A<sup>d</sup> Intituled an A<sup>d</sup> for Security and Defence of the Country in times of Danger* without any Amendments

*Ordered*

That a Bill be brought in for appointing the Speaker of this Houfe Treafurer of the Duties in [on] Liquors and Slaves and that the Committee for propofitions and Greivances do prepare and bring in the fame

A petition of *Chichlly Corbin Thacker* was prefented to the Houfe and read praying that his public Claim may be paid in money inftead of Tobacco. And the fame was rejected

A Bill for diffolving the parifh of *Wilmington* in the Counties of *James City* and *Charles City* and for Adding the fame to other parifhes was read the Second time

*Ordered*

That the Bill be Ingroffed

A Bill intituled *an A<sup>d</sup> for Inlargeing the Jurisdiction of the Court of Huftings in the City of Williamfburgh within the Limits thereof* was read the third time

*Resolved*

That the Bill do pafs *nemine Contradicente*

*Ordered*

That *M<sup>r</sup>. Clayton* and *M<sup>r</sup>. Blair* do carry the bill to the Council for their Concurrence.

*Ordered*

*Ordered*

That the further Consideration of the Report from the free Conference with the Council be Adjorned till to Morrow Morning

Then the Houfe Adjorned till to Morrow Morning eleven a Clock.

*Saturday June the 15<sup>th</sup> 1723.*

**O**RDERED

That Mr Aylet have leave to go home

A Message from the Council that they have made some Amendments to the Book of Claims to which they desire the Concurrence of this Houfe.

An Ingrossed Bill from the Council intituled *an Act for Remedying divers inconveniences arising by the Unseasonable shipping of Tobacco* was read the first time and Ordered to be read a Second time.

The Amendments made by the Council to the Book of Claims being read were agreed to by the Houfe.

*Ordered*

That a Message be sent to the Council to Acquaint them that this Houfe hath agreed to the Amendments by them made to the Book of Claims and that the Committee for public Claims go up with the Message.

The Several petitions of *Chichely Corbin Thacker & James Shields* being referred from the Governor and Council were read praying that their public Claims may be paid in money.

*Resolved*

That the said petitions be rejected

The Houfe took into Consideration the report from the Conference with the Council touching their Amendments to the Bill intituled *an Act directing the Tryal of Slaves committing Capital Crimes and for the more effectual punishing conspiracy and Insurrections of them and for the Better Government of Negros Mulatto's and Indians bond or free.*

And some Amendments to the said Amendments being proposed were agreed unto by the Houfe

*Ordered*

That a Message be sent to the Council to Acquaint them that this Houfe hath made some Amendments to their Amendments to the said Bill and to desire their Concurrence to the same And that the persons who Managed the Conference do go up with the Message.

A Message from the Council that they have passed the Bill intituled *an Act for dividing the parish of St. Stephens in the County of King and Queen* without any Amendment.

And also that they have passed the book of Claims and obtained the Governors Assent to it.

A Bill intituled *an Act for dissolving the parish of Wilmington in the County of James City and Charles City and for Adding the same to other parishes* was read the Third time

*Resolved*

That the Bill do pass.

*Ordered,*

That the Committee who prepared the said Bill do carry the same to the Council for their Concurrence.

*Ordered*

That a Committee be appointed to proportion y<sup>e</sup> public Levy of the following persons *viz.*

Mr. Ejcridge

Mr. Ball

Mr. Barber &

Mr. Joseph Godwin.

A Message from the Council that they have agreed to the Amendments made by this House to their Amendments to the Bill intituled *An Act directing the Tryal of Slaves committing capital Crimes, and for the more effectual punishing Conspiracies & Insurrections of them & for the better Government of Negros Mulatto's & Indians bond or free* And that they have passed the Bill as amended

Then the House Adjourned till to *Monday Morning Eleven a Clock.*

*Monday June the 17<sup>th</sup> 1723.*

**O**RDERED

Upon Debate that it be an Instruction to the Committee appointed to prepare and bring in a bill for appointing a Treasurer to bring in a Clause or Clauses to be Added to the said Bill for enforcing the payment of the Several Sums ordered by this House for repairing the Windows and building of Chimneys in the Capitol and for paying the Burgesses Salaries & other Charges of this Session of Assembly out of the public money in the hands of *Peter Beverley Esq<sup>r</sup>* now Treasurer And also for Oblidding the said *Peter Beverley* to pay all the Money remaining in his hands at the end of this session of Assembly into the hands of the Treasurer to be appointed by the said Bill.

An Ingrossed Bill from the Council intituled *an Act for Remediying Divers Inconveniencies arising by the Unreasonable shipping of Tobacco* was read the Second time.

And the Question being put

That the said Bill be read a Third time

It passed in the Negative

A Bill appointing a Treasurer and Impowering him to receive the Monys in the hands of the late Treasurer was read the first time.

The Question being put that the said Bill be now read a Second time

Resolved in the Affirmative

And the said bill was read the Second time and ordered to be Ingrossed

Resolved

That the sum of Seventy pounds out of the public Money in the hands of the Treasurer be paid to *M<sup>r</sup> John Randolph* Clerc of the House of Burgesses for Twenty eight Copies of the Laws & proportions of this session of Assembly to be sent by him to the respective Counties of this Colony

Then the House Adjourned till to morrow Morning Eleven a Clock—

*Tuesday June the 18<sup>th</sup> 1723*

**M**R *McCarty* reports from the Committee appointed to draw up an Address to his Majesty, An Address agreed upon by the Committee which he read in his place and afterwards delivered in at the Table where the same was twice read and with some Amendments made at the Table agreed to

Ordered

That the Address be written over fair and a blank left for the Concurrence of the Council which Address is as follows *viz<sup>t</sup>.*

*Permit us most Gracious Sovereign*

The Burgesses of your Antient Colony of *Virginia* now met in Assembly heartily and Sincerely to Congratulate your Majesty upon the Timely Discovery & detection of the late most unnatural Conspiracy against your Majesties Roial person and Government.

We cannot but with <sup>1</sup>reflect on the Miserable Condition our Mother Country must have lain under had the Accursed design Succeeded And as no Calamity can befall

*great*

<sup>1</sup> Some such word as "concern" or "dismay" is here evidently omitted in the copy.

*great Brittain* in which we fhall not partake We are highly Sencible the fatal Malignity of fo dreadfull a Revolution would have quickly reached our Remote parts.

We beg leave on this Occafion with all humility to Affure your Majeftie of our firm Loyalty and Sincere Affection to your Sacred perfon and the Eftablifhed Conftitution The happy Influence of which we dayly find under the Mild and Juft Adminiftration of the Hon<sup>ble</sup> *Hugh Dryfdale* the Lieu<sup>t</sup> Governnor Your Majeftie hath been gracioufly pleafed to Appoint over us.

May the Almighty by whole Special Providence your Majefty Reigns ever protect & defend your Sacred perfon and Roial Ifsue againft all wicked & Traiterous Attempts at home or abroad And the good of your Kingdomes and all your Territories preferve you and them On Whom the happinefs & Security of all your Subjects depend.

*Ordered*

That the Committee for p[r]opofitions and Greivances do carry up the Addrefs to the Council for their Concurrence.

A Bill intituled *an Aâ appointing a Treafurer and empowering him to receive the Moneys in the hands of the late Treafurer* was read the Third time

*Refolved*

That the Bill do pafs.

*Ordered*

That the Committee for propofitions and Greivances do carry the Bill to the Council for their Concurrence.

A Meffage from the Council That they have made Several Amendments to the Bill Intituled *an Aâ for the Settling & better Regulation of the Militia* to which they defire the Concurrence of this Houfe.

And the faid Amendments were read and agreed to

*Ordered*

That a Meffage be fent to the Council to acquaint them that this Houfe hath agreed to their Amendments to the faid Bill and that the Committee for propofitions and greivances do go up with the Meffage.

Then the Houfe Adjourned till to morrow Morning eleven a Clock.

### *Wednesday June the 19<sup>th</sup> 1723*

**M**R *Esckridge* Reports from the Committee appointed to Proportion the public Levy a Book of propofitions agreed upon by the Committee which they had directed him to report—and he delivered the fame in at the Table where the fame was read and Agreed to.

A Meffage from the Council that they are ready to Concurr w<sup>th</sup> this Houfe in the Addrefs to his Majeftie and that they propofe fome Amendments to the faid Addrefs to which they Defire the Concurrence of this Houfe.

And that they have made fome amendments to the Bill Intituled *an Aâ for Inlarging the Jurifdiction of the Court of Huftings in the City of Williamsburgh within the Limits thereof* And Alfo to the Bill intituled *an Aâ for Diffolving the parifh of Wilmington in the Counties of James City and Charles City and Adding the fame to other Parifhes* to which they defire the Concurrence of this Houfe.

The ammendments to the faid Addrefs being for filling up the Blanks left for the Council And for Adding thefe words [of *Virginia*,] after the word [Burgeffes] in the Title were agreed to

*Ordered*

That a Duplicate of the faid Addrefs be prepared and that the fame together with the Addrefs be figned by the fpeaker and that the Committee for propofitions and Greivances do carry the faid Addrefs and Duplicate to the Council

*Ordered*

That a Meffage be fent to the Council to defire them to Appoint fome of their Members to attend the Governor with fome Members of this Houfe to know when  
both

both Houses may Attend him with the said Address to his Majesty and that the Committee for propositions and Grievances do go up with the Message.

A Bill for raising a public Levy was read the first time and ordered to be read a Second time.

The said Bill was read a Second time and Ordered to be Engrossed.

*Ordered*

That a Committee be Appointed to Examine the Enrolled Bills and is referred to

M<sup>r</sup>. John Thornton

M<sup>r</sup>. Wyth &

M<sup>r</sup>. Thacker

M<sup>r</sup>. Jones

The Amendments made by the Council to the Bill Intituled *an Act for dissolving the parish of Wilmington in the Counties of James City and Charles City and adding the same to other parishes* being Severally read were Agreed to. Also the Amendm<sup>ts</sup> made by the Council to the bill Intit<sup>d</sup> *an Act for enlarging the Jurisdiction of the Court of Hustings in the City of W<sup>m</sup>sburgh w<sup>th</sup> in the Limits thereof* were Sev<sup>ally</sup> read & Agreed to.

*Ordered*

That a Message be sent to the Council to acquaint them that this House hath agreed to their Amendments to the said Bills and that the Committees who prepared the same do go up with the Message

*Ordered*

That the Committee for propositions and Grievances do carry the Several Resolves of this House for paying Several Sums out of the public money in the Hands of the Treasurer to the Council for their Concurrence.

A Bill intituled *and [An] Act for raising a public Levy* was read the Third time

*Resolved*

That the Bill do pass.

*Ordered*

That the Committee of proportions do carry the said Bill w<sup>th</sup> the Book of proportions to the Council for their Concurrence

A Message from the Council

That they have made an Amendment to the Bill intituled *an Act Appointing a Treasurer and Impowering him to receive the Monyes in the hands of the late Treasurer* to which they desire the Concurrence of this House

And that they have agreed to the book of proportions and all the Resolves for payment of Money sent up by this House

*Ordered*

That the Committee appointed to proportion the public Levy do carry the book of proportions and the said Resolves to the Governor and desire his Assent thereto

The Amendment made by the Council to the Bill intituled *an Act Appointing a Treasurer and Impowering him to receive the Moneys in the hands of the late Treasurer* was read And some Amendments instead of the said Amendments were proposed and agreed to.

*Ordered*

That a Message be sent to the Council to acquaint them that this House hath agreed to some Amendments instead of their Amendment to the said Bill and that the Committee for propositions and Grievances do go up with the Message

Then the House Adjourned till to Morrow Morning eleven a Clock.

*Thursday June the 20<sup>th</sup> 1723.*

**M**R Thornton reports that the persons appointed had according to Order Examined the Several Bills passed the Council & this House this Session and that the same were truly Enrolled

*Ordered*

That the Committee who Examined the said Bills do carry the same to the Council for their Perusal.

M<sup>r</sup>:



Mr. *Ejcridge* acquainted the Houfe that the perfons appointed had attended the Governor with the Book of proportions And the Several Refolves paffed the Council and this Houfe for paying Several Sums out of the publick money and that He was pleafed to give his Affent to the fame.

A Meffage from the Council that their Prefident had Signed the Addrefs to his Majefty in the behalf of them and that they had returned the fame to this Houfe.

Alfo That they had perufed the Bills fent up to them and were Satisfied the fame were truly Inrolled.

A Meffage from the Governor was delivered by Mr *Robertfon* as follows.

Mr *Speaker*.

The Governor Commands the immediate Attendance of this Houfe in the Council Chamber and that you bring with you fuch Bills as are ready for his Affent

The Houfe accordingly went up to attend the Governor in the Council Chamber where he was pleafed to give his Affent to the Several public & private Bills following.

*An Aâ for Laying a Duty on Liquors and Slaves.*

*An Aâ for the Settling and better Regulation of the Militia.*

*An Aâ for reviving the Aâ intituled an Aâ for Security & Defence of the Country in times of Danger.*

*An Aâ directing the Trial of Slaves committing Capital Crimes and for the more effectual punifhing Conspiracies & Infurrections of them and for the better Government of Negros Mulattos and Indians bond or free*

*An Aâ for the better and more Effectual Improving the Staple of Tobacco*

*An Aâ for the better Securing the payment of Levies & Reftraint of Vagrant and Idle people and for the more effectual difcovery and profecution of Perfons having Baf tard Children*

*An Aâ for the Transportation of Dick and other Negro Slaves*

*An Aâ appointing a Treafurer and Impowering him to receive the Moneys in the hands of the late Treafurer.*

*An Aâ for raifing a Public Levy.*

*An Aâ for Inlarging the Jurifdiction of the Court of Huftings in the City of Williamsburg within the Limits thereof*

*An Aâ for Dividing St. Stephens parifh in the County of King and Queen.*

*An Aâ for diffolving the parifh of Wilmington in the Counties of James City and Charles City and Adding the fame to other parifhes.*

*An Aâ for Confirming the Title of John Fox Gent<sup>r</sup> to Certain Lands formerly pur-chafed of the Pamunky Indians.*

*An Aâ for Vefting the fee Simple Eftate of certain intailed Lands in William Merri-wether Gent And for Vefting five Negro Slaves therein Mentioned in Sarah Brechin and the Heirs of her body.*

*An Aâ for Vefting the fee Simple Eftate of certain Intailed Lands in Peirce Buttler and Paulin Anderfon and for Vefting other Lands therein Mentioned in Robert Stubble-field in fee tail*

Then the Speaker of the Houfe of Burgeffes delivered to the Governor the Addrefs of Both Houfes to the King Requefting His Honour to Tranfmit it to *great Brittain*—And to get it prefented to his Majefty in the beft manner—

And the Governor was pleafed to make the ffollowing Speech.

Gentlemen

I am pleafed to find fuch zeal expreffed for his Majefty's perfon and Government I will take care to Tranfmit this Addrefs by the firft Oppertunity and will be ever ready to do all the Good Offices with his Majefty for the Support of you and this Colony

Gentlemen of the Council & Houfe of Burgeffes.

I am come to put an End to this feflion of Affembly but cannot in Juftice part with you before I exprefs the pleasure I have taken in your Conduct & Behaviour which has banifhed from your Confultations all heats and Divifions And the fatisfaction you have

have given me in preparing and presenting these good and wholesome Laws which I have now passed, Laws (by Allowing such a Length of time for his Majesties Assent) I hope equally calculated for Maintaining his Prerogative as well as for Advancing the benefit of the people who unless unreasonably prepossessed must be highly Satisfied to find themselves represented by Gentlemen who have Acted with such prudence and Moderation and who in all their proceedings have Appeared so fully to Understand and so much to have at heart the True Interest of the Crown and Country

I must believe by your Expressions in your Address to me that My Administration has hitherto been to your Satisfaction. I take this Opportunity to Assure you that I will persevere in and pursue the Measures I laid down in my Speech delivered at the Opening of this Session And will Countenance those and only those who shall be Aiding and Assisting to me in prosecuting and attaining Such Desirable Ends.

These Resolves performed on my part Supported with Suitable Returns from you will be a means of Laying such a firm and lasting foundation of Peace and right understanding between us so Absolutely necessary for the Happiness of Both

The Season of the year and your own private Affairs call for a Recess from the public Being then to Separate I request it of you and earnestly recommend it to you That as you brought dispositions free from party feuds and Jealousies You carry back the same into your respective Counties And there preserve the peace Cultivate Union among your Neighbors and promote the public good

Be Active in Encouraging Loyalty and and Obedience to King *George* patronize Virtue punish Vice & duly execute the Laws that govern you

Such Merit will always lay a Claim to the Voices of the Inhabitants to come and make it their humble request to you to Honour them by representing them in Assembly And now I prorogue this Assembly to *Thursday* the Seventh day of *November*, And this Assembly stands prorogued accordingly.

# JOURNAL

OF THE

## HOUSE OF BURGESSES

AT A

### GENERAL ASSEMBLY

Summoned to be held at the Capitol in the City of WILLIAMSBURG the fifth day of *December* in the Ninth Year of the Reign of Our Sovereign Lord GEORGE by the Grace of God of *Great Britain France and Ireland* King Defender of the faith &c. And in the Year of Our Lord MDCCXXij—

And by Writ of Prorogation begun and holden on the Ninth day of *May* MDCCXXij—

And from thence Continued by Several Prorogations to the Twelfth day of *May* MDCCXXvj  
Being the Second Session of this Present Assembly.

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RICHMOND, VIRGINIA.

MCMXI.



# JOURNAL

## OF THE

# HOUSE OF BURGESSES

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*Thursday May 12<sup>th</sup> 1726*

A COMMISSION from the Honorable the Lieutenant Governor to *Philip Finch* Gent<sup>l</sup>. to be Serjeant at Arms and Macebearer to this house was presented to the House and read.

*Ordered.*

That the same be Entered in the Journal of this house in these Words

*Hugh Drysdale his Majesties Lieutenant Governor Vice Admiral and Commander in Chief of the Colony and Dominion of Virginia*

*To Philip Finch Gentleman Greeting*

By Virtue, of the powers and Authorities to me Given as Commander in Chief of this Dominion. I do by these presents Constitute and appoint you Serjeant at Arms and Mace bearer to the house of Burgesses of this Colony You are therefore diligently to discharge the duty of your said Office by duly attending the said house and executing all such Orders and Commands as you shall receive from time to time from the Speaker or by the direction of the said house of Burgesses. And I do hereby charge and command all his Majesties Officers and others whom it may concern to be aiding and assisting to you in all things as becometh. And I do further Grant unto you the said *Philip Finch* that you shall hold and Enjoy the said Office with all fees Profits and Perquisites thereunto belonging during pleasure Given under my hand and the Seal of the Colony at *Williamfburg* this twelfth Day of *May*. 1726. in the twelfth Year of his Majesties Reign  
*Hugh. Drysdale.*

A Message from the Governor by M<sup>r</sup> *Robertson*  
M<sup>r</sup> *Speaker.*

The Governor Commands the immediate attendance of this house in the Council Chamber.

Accordingly M<sup>r</sup> *Speaker* with the house went up to attend the Governor And being returned M<sup>r</sup> *Speaker* reported that the house had attended the Governor in the Council Chamber And that he was pleased to Say that by a Long indisposition he had Lost his Voice and therefore had ordered M<sup>r</sup> *Robertson* to read his Speech, And thereupon M<sup>r</sup> *Robertson* read the Governors Speech and delivered him a Copy of it which he read to the house and the same was again read by the Clerk and is as followeth

*Gentlemen of the Council and House of Burgesses*

It is with intire Satisfaction that I meet you a Second time in Assembly to give you new opportunities of Consulting among yourselves what may be further necessary for your happiness and prosperity.

The Reasons that prevailed with me to agree to so many prorogations were partly to save the Country Charges after such a Loss as they suffered in their Crops by the Late  
Years

Years Guft; and partly becaufe I heard of no Grievances wanting to be redreffed. All perfons and things being in a perfect Calm and Tranquillity.

And indeed it is not fo much any neceffity of State that has now occafioned your meeting as that you might have an Opportunity to defray the ufual public Debts and Contingencies which how inconfiderable foever they are it feems can't be difcharged by your Conftitution without an Affembly.

*Gentlemen of the Houfe of Burgeffes*

You laid a Duty laft Seffion on Liquors and Slaves imported as had been done by former Affemblies with very good Effect to make thofe Affemblies more Eafy to the Country by Leffening the Levy ꝑ poll But the interferring intereft of the *African* Company has deprived us of that Advantage and has obtained a Repeal of that Law But a Duty on Liquors being Exprefly recommended in my Inftuctions if you think fit to Enact it by it felf I am perfuaded it Will meet with approbation at home

As I never had any defign upon the Country to make Gain for my felf I think (*Gentlemen*) I may with a better grace recommend to your Confiderations the contributing fome Affittante[ce] towards the Support of A Work which in my Judgment (if duly Cultivated) would prove of great Service to your Country and Pofterity I mean the College it lies in a Languifhing condition and wants help to found their full number of Mafters which when once perfected will make a Noble Seminary not only for the Education of your Young Gentlemen in the Liberal Arts and fciences but for furnifhing your Churches with a Sett of Sober Divines born of yourfelves and bred among you Advantages of greater importance than at prefent you may be aware of.

I doubt I fhall be under a neceffity through an ill ftate of health to take a Voiage to *England* but with Gods Affiftance I intend to return to you with all Expedition.

I am truly fenfible of your good difpofition to his Majefties Government and of your great refpects to myfelf which calls upon me to promife you that if there is any thing I can do for you during my ftay in *England* I fhall thing[k] myfelf happy to have an Occafion to fhew my readinefs to ferve fo loial peaceable and kind a Country as I have Experienced you to be during my Adminiftration And I make no doubt but that you will fo continue during my abfence.

In the interim if you have any ufeul Laws to propofe agreeable to my Inftuctions and I know you will propofe no other I fhall be glad to pafs them here and will Endeavour to get them approved by his fared Mafesty King *George* whom God blefs and pre-ferve.

*Hugh Dryfdale.*

*Resolved Nemine Contradicente*

That an Addrefs be made to the Governor to return him thanks for his moft affectionate Speech and the Great Esteem and good opinion he is pleafed to Exprefs therein for the people of this Colony.

*Ordered*

That the Committee for Propofitions and Grievances do draw up the faid Addrefs

*Resolved*

That this houfe will on *Saturday* next take into Confideration the Governors Speech

*Ordered*

That all Committees of the laft Seffion be revived and that they have power to Adjorn from Day to Day and to Send for fuch perfons papers and Records as they fhall from time to time think neceffary.

*Ordered.*

That M<sup>r</sup> *Randolph* be Chairman of the Committee for propofitions and Grievances and that M<sup>r</sup> *Johnfon* be added to the faid Committee

*Ordered*

That the Committee for propofitions and Grievances do infpect the Journals of the Laft Affembly and prepare and draw up a State of the matters then depending and undetermined and the progreff that was made therein and report the fame to the houfe

*Ordered*

*Ordered.*

That the said Committee inspect such Laws as are lately Expired or near Expiring and Report their Opinion to the house which of them are fit to be revived or Continued.

*Ordered.*

That M<sup>r</sup>. *William Le Neve* be continued Chaplain to this house and that he attend to read prayers Every morning at ten a Clock

*Ordered*

That M<sup>r</sup>. *Blair* and M<sup>r</sup>. *Willis* do acquaint the Governor and Council with the time appointed for prayers

*Ordered.*

That M<sup>r</sup>. *Godfrey Pole* be continued Clerk to the Committee for Propositions and Grievances and that M<sup>r</sup>. *Miles Cary* be continued Clerk to the Committee for public Claims

*Ordered.*

That the Doorkeepers who attended this house at the Last Session do give their Attendance this Session

*Ordered.*

That the Orders of the Last Session of Assembly continue standing orders of the house this Session.

*Ordered*

That M<sup>r</sup>. *Clayton* do lay before the house an Account of the money Expended by him and others pursuant to an Order of the General Assembly made in the year 1722 for providing Sundry Ornaments and other things for the Use of the Assembly General Court and Council

*Ordered*

That all Propositions and Grievances and public Claims be brought in by *Wednesday* next at furthest or otherwise that they be not received without particular Leave of the house

*Ordered*

That M<sup>r</sup>. *Wythe* M<sup>r</sup>. *George Harmanjon* and M<sup>r</sup>. *Scarburgh* do wait on the Governor and desire him to Order A new Writ to be made out for the Electing a Burgess to Serve in this present General Assembly for the County of *Attomack* in the Room of *Tully Robinson* Gent deceased

Also a new Writ for the Electing A Burgess to serve in this present General Assembly for the County of *Elizabeth City* in the Room of *James Rickets* Gent deceased

Also a new Writ for the Electing a Burgess to serve in this present General Assembly for the County of *Northampton* in the Room of *Thomas Harmanjon* Gent deceased

Also a new Writ for the Electing a Burgess to serve in this present General Assembly for the County of *Westmorland* in the Room of *Daniel M<sup>c</sup>Carty* Esq<sup>r</sup> deceased

And then the house adjourned till to morrow morning Eleven a Clock.

*ffryday May 13<sup>th</sup> 1726*

**M**R *Randolph* reported from the Committee for propositions and Grievances that the Committee had drawn up an Address to be presented to the Governor which they had directed him to report to the house and he read the same in his place and afterwards delivered it in at the table where the same was read and agreed to by the house as followeth.

*To the honorable Hugh Dryfdale his Majesties Lieut Governor and Commander in Chief of Virginia.*

*The humble Address of the house of Burgeffes.*

*SIR.*

The Burgeffes of this his Majesties most antient Colony of *Virg<sup>a</sup>* being Persuaded from the Experience they have had of your just and disinterested Administration that  
you

you have nothing more at heart than the public Good and Welfare of the Subjects Committed to your Care could not doubt but that some Weighty cause induced you to put off the meeting of this Assembly.

Your inclination to do any thing which may contribute to the Ease and prosperity of the people is so conspicuous on Every occasion that We must acknowledge the present Calm and tranquillity to be the consequences of your Prudence and Moderation And it would be the highest ingratitude not to return you our Unfeigned thanks as well for that happiness as the singular kindness you have been pleased to Express in your affectionate Speech to this Assembly for the people of this Country And we shall Constantly Endeavour so to Order our Steps as not to forfeit the Esteem and good Opinion you have Entertained of us.

We and these whom we represent are Extremely concerned that you have so long been afflicted with that Languishing and Obstinate disease which is now likely to deprive us for A Season of your Residence amongst us Yet we hope the misfortune of your absence will soon be repaired by the recovery of your health and your returning in Safety to us for which with the utmost Sincerity We heartily pray.

*Resolved*

That the said Address be presented to the Governor by the whole house

*Ordered.*

That the Committee for Propositions and Grievances do wait on the Governor and desire to know his pleasure when he will be attended by this house

M<sup>r</sup>. *Clayton* laid before the house an Account of the money laid out for providing fundry Ornaments and other things for the use of the Assembly General Court and Council.

*Ordered.*

That the said account be referd to the Consideration of the Committee for public Claims and that they do Examine the same and report their Opinion thereupon to the house

M<sup>r</sup>. *Randolph* reported to the house that the Governor having been waited upon humbly to know when he would be attended by this house had be[en] pleased to Appoint to morrow morning at Eleven a Clock in the Council Chamber.

*Ordered.*

That the Attornies of Col<sup>o</sup>. *Alexander Spotswood* do prepare an account how the money put into his hands by one act of Assembly made in the year 1720 for Erecting the Counties of *Spotsylvania* and *Brunswick* and granting Certain Exemptions and benefits to the Inhabitants thereof hath been disposed of and that they lay the same before this house at the next Session of Assembly

M<sup>r</sup>. *Harrison* being required to give an Account how the money directed to be paid to him and others by the said Act hath been disposed of acquainted the house that they had received the Sum of five hundred pounds pursuant to the said Act but that they have not yet thought it necessary by reason of the Small number of Inhabitants in the said County of *Brunswick* to apply the said Sum or any part thereof to the uses to which the same was appropriated

And then the house adjourned till to morrow Morning Eleven a Clock.

*Saturday May 14<sup>th</sup> 1726*

**M**R. *Harrison* reported from the Committee to whom the Account laid before this house by M<sup>r</sup>. *Clayton* was referd that the Committee had Examined the same and were of opinion that the several Charges therein were just and that there is a ballance due to M<sup>r</sup>. *Clayton* of twenty pounds nine Shillings and two pence Current money of *Virginia*

*Ordered*



*Ordered.*

That the Sum of twenty pounds nine Shillings and two pence out of the public money in the hands of *John Holloway Esq<sup>r</sup>* Treasurer be paid to M<sup>r</sup> *John Clayton* the same being Expended by him pursuant to an order of the General Assembly.

*Ordered*

That M<sup>r</sup> *Archibald Blair* and M<sup>r</sup> *William Robertson*, do inform this house what hath been done by them pursuant to an Act of Assembly made at the Last Session of Assembly empowering them to transport and Sell certain Negro slaves and that they lay an account before this house of the money which hath arisen by the sale of the said Slaves.

M<sup>r</sup> *Speaker* reported that the house had attended the Governor with their Address to which he was pleased to give the following Answer

*M<sup>r</sup> Speaker, and Gentlemen of the house of Burgeffes*

I have a Just Sense of the Kindness you Express to me in this Address: I assure you I shall always aim at the Welfare of the people of this Colony while I have the Honor of presiding among you.

The Order of the day being read The house upon a motion resolved it self into A Committee of the whole house to consider the Governors Speech and after some time spent therein M<sup>r</sup> *Speaker* resumed the Chair and M<sup>r</sup> *Randolph* reported from the Committee that they had come to some Resolutions which they had directed him to report to the house and he read them in his place and afterwards delivered them in at the table where the same were read and agreed to as followeth

*Resolved.*

That a Duty be laid on Liquors imported

*Resolved.*

That A Duty of four pence a Gallon be laid on Rum Brandy and other distilled Spirits and on Wine and one penny a Gallon on Cyder Beer and Ale other than such of the said Liquors as shall be imported directly from *great Britain*

*Resolved.*

That the Sum of Two hundred pounds yearly out of the money arising from the Duties aforesaid be applied to the use of the College of *William and Mary* towards founding the full number of Masters.

*Ordered*

That a bill be prepared accordingly and that it be referred to the Committee for Propositions and Grievances to prepare and bring in the same

*Resolved*

That an humble Address be made to his Majesty to implore his Majesties further assistance to the College of *William and Mary* and that he will be graciously pleased to increase the Revenues of the said College out of the unappropriated Revenue of Q<sup>r</sup> Rents in this Colony: Also to Express the intire Satisfaction of the people of this Country under the Governors Administration and the Sorrow of this house for the Occasion of his returning to *great Britain*

*Ordered*

That the Committee for Propositions and Grievances do draw up an Address upon the said Resolution

*Ordered*

That M<sup>r</sup> *Clayton* have leave to be absent from the Service of the house for a fortnight upon Urgent Occasions

M<sup>r</sup> *Randolph* reported from the Committee for Propositions and Grievances to whom it was referred to inspect the Journal of the Last Session of Assembly and such Temporary Laws as had lately Expired or were near Expiring that the Committee had Agreed upon a Report which he read in his place and afterwards delivered the same in at the table

*Resolved*

That the house will take the said Report into Consideration *Monday*

And then the house adjourned till *monday* Morning Eleven A Clock.

*Monday*

*Monday May 16<sup>th</sup> 1726*

**A** REPORT of *Charles Barber William Woodbridge* and *Charles Grymes* Gent. that they had laid out the bounds between the Counties of *Lancaster* and *Northumberland* pursuant to an order of the General Assembly was laid before the house

*Ordered*

That the same be referred to the Consideration of the Committee for propositions and Grievances and that they do Examine the matter thereof and report their Opinion thereon to the house

*Ordered.*

That Mr. *Presly* be added to the said Committee

The house according to Order proceeded to the Consideration of the Report made from the Committee for Propositions and Grievances on *Saturday* last and the same was read and is as followeth

Upon inspecting the Journal of the last Session of Assembly it Appears to this Committee

That Mr. *Daniel McCarty* Mr. *George Eschridge* Mr. *Charles Barber* Mr. *William Woodbridge* and Mr. *Charles Grymes* or any three of them with Mr. *Coppidge* and Mr. *Newton* Surveyors or One of them should meet pursuant to an Order of the house of Burgesses at the Last Session of Assembly and according to the Evidences which should be produced to them lay out the bounds between the Counties of *Lancaster* and *Northumberland* at the charge of both Counties and that they should report their proceedings to this Session of Assembly

That Mr. *John Holloway* Mr. *John Clayton* and Mr. *Archibald Blair* to whom the Sum of two hundred and ten pounds by A Resolution of the last Session of Assembly was ordered to be paid out of the public money for the providing Sundry Ornaments and Other things for the use of the Assembly General Court and Council should Employ the said Sum according to the said Resolution and Account to this Session of Assembly

That the defects of the Laws in force relating to the Clergy and parochial affairs referred to the consideration of that Session of Assembly should be referred to the Consideration of this Session of Assembly

Upon Consideration of the proposition from *Westmorland* County that A chappel of Ease might be Erected in the Center thereof at the charge of the said County. It was resolved that the same should be referred to the Consideration of this Session of Assembly.

Upon Consideration of the proposition from *Alexander Forbes* Clerk That no Vagabond Couple be Suffered to Cohabit under Color of a married State without Exhibiting Credible testimony to certify their marriage and the Lawfulness thereof It was resolved that the same should be referred to the consideration of this Session of Assembly

Upon inspecting what Laws are Expired or near Expiring it appears to this Committee. That the Act for *Settling the fees of the Secretary County Court Clerks Sheriffs Coroners and Constables and for ascertaining the fees of Attornies in a bill of Costs* will Expire at the End of this Session of Assembly

It is the Opinion of this Committee that the said Act be continued to the End of the next Session of Assembly

That the Act for *the further improving the Staple Tobacco* Expired on the tenth day of *August* last

It is the opinion of this Committee that there is no necessity to revive the said Act

That the Act for reviving the act intituled *an Act for Security and defense of the Country in times of Danger* Expired on the twenty fourth Day of *June* Last

It is the opinion of this Committee that the said Act be revived for two Years

The Said Report being read a Second time

*Resolved.*

That the defects of the Laws relating to the clergy and parochial affairs be referred to the Consideration of the next Session of Assembly.

*Ordered*

*Ordered.*

That the proposition aforefaid from *Westmorland* County be referd to the Consideration of the Committee for propositions and Grievances and that they do Examine the matter thereof and report their Opinion thereon to the house.

*Resolved.*

That the proposition aforefaid from *Alexander Forbes* Clerk be referd to the Consideration of the next Session of Assembly

*Resolved.*

That this house doth agree with the said Committee that the *Act for settling the fees of the Secretary County Court Clerks Sheriffs Coroners and Constables and for ascertaining the fees of Attornies in a bill of Costs* be continued to the End of the next Session of Assembly

*Ordered.*

That a Bill be prepared accordingly and that it be referd to the Committee for Propositions and Grievances to prepare and bring in the same.

*Resolved.*

That this house doth agree with the said Committee that the *Act for the further improving the State of Tobacco*, be not revived.

*Resolved.*

That this house doth agree with the said Committee That the *Act for Security and defence of the Country in times of Danger* be revived for two Years.

*Ordered.*

That a bill be prepared accordingly and that it be referd to the Committee for propositions and Grievances to prepare and bring in the same

*Ordered.*

That it be an Instruction to the Committee to whom it is referd to prepare and bring in the bill for Laying a Duty on Liquors imported to draw a Clause to be added to the said bill for making an abatement of fifteen  $\frac{1}{2}$  Cent. to those who shall import money into this Colony for the payment of the said Duty.

And then the house adjourned till to morrow morning Eleven a Clock

*Tuesday May 17<sup>th</sup> 1726*

A BILL for laying a Duty upon Liquors was read the first time and ordered to be read a Second time

M<sup>r</sup>. *Blair* Laid before the house an Account of the State of the Eight Negroes which he and M<sup>r</sup>. *William Robertson* were impowered by an Act made at the Last Session of Assembly to transport

Also several Accounts of the Sale of Rum imported from *Barbadoes* And the titles of the said Accounts were read

*Ordered.*

That the said Accounts be referd to the Consideration of A Committee and that they do Examine the same and report their Opinion thereon to the house and a Committee was appointed accordingly.

M<sup>r</sup>. *Randolph* reported from the Committee of Propositions and Grievances that the Committee had had under their Consideration several propositions and Grievances and agreed upon a Report which he read in his place and delivered in at the table where the same was read.

And upon Consideration thereof

The Question was put that A bill be brought in to give Encouragement for the killing Squirrels and Crows

And passed in the Negative

*Resolved*

*Resolved.*

That a bill be prepared to prevent the felling of Trees in to Rivers and Creeks and the Setting of Negroes therein

*Ordered.*

That it be referd to the said Committee to prepare and bring in the same

*Resolved.*

That the Grievance complained of by the Inhabitants of *Accomack* County occasioned by their present Veftry be referd to the confideration of the next Seflion of Affembly to the End the said Veftry may have an Opportunity of Juftifying their proceedings

And then the houfe adjourned till to morrow morning Eleven a Clock

*Wednesday May 18<sup>th</sup> 1726*

**A** BILL for reviving and continuing two Acts of Affembly therein mentioned was read the first time and ordered to be read a Second time

A Petition of *John Lomax* in behalf of himself and other Inhabitants of the County of *Effex* fetting forth That a proposition signed by the Upper Inhabitants of the said County for dividing the same had been presented to A Court of Claims held in the said County but by reason of some disputes and heats arising in the said Court the said proposition was not certified to the General Affembly according to Law and praying that the said proposition may be now received and considered was presented to the house and read.

*M: Kemp* presented to the house a proposition for adding part of the said County of *Effex* to the County of *Middlesex*

*Ordered.*

That the said propositions be referd to the Consideration of the Committee of Propositions and Grievances and that they do Examine the matter thereof and report the same with their Opinions thereon to the house

*M: Randolph* reported from the Committee of Propositions and Grievances that the Committee had had under their Consideration several Propositions and Grievances and had Agreed upon a Report which he read in his place and delivered in at the table where the same was read.

And upon Consideration thereof

*Resolved*

That A bill be brought in for the more Effectual preventing the bringing Tobacco from *North Carolina*

*Resolved.*

That A bill be prepared to repeal an Act intituled *an Act directing the manner of Levying Executions and for relief of poor Prisoners for debt and One other Act to Explain the said Act and to declare the Law concerning Executions and for Relief of poor Prisoners for debt*

*Ordered*

That the Committee of Propositions and Grievances do prepare and bring in the said bills

*Ordered*

That a bill be brought in for building A Chappel of Ease in the Center of the County of *Westmorland* and that *M. Escribde* do prepare and bring in the same

*Resolved.*

That this house doth approve the report of *Charles Barber William Woodbridge* and *Charles Grymes* concerning the bounds of *Lancafter* and *Northumberland* Counties

*Ordered.*

That the said Report be Entered among the Records of the General Affembly

\* The copy has "Negroes," which is manifestly an error for "Hedges."

A Petition of *Baldwin Matthews* setting forth that A Negro slave belonging to him was lately committed to the Goal of *York County* for felony and Burglary and died during his confinement before his trial and praying to be paid for the said Slave was presented to the house and read.

*Ordered.*

That the said petition be referd to the Consideration of the Committee of public Claims and that they do Examine the matter thereof and report the same with their Opinion thereupon to the house

M<sup>r</sup> *Jones* Reported that the persons appointed had according to Order Examined the Accounts of the Sales of the Negro slaves transported pursuant to an Act made at the Last Session of Assembly and of A certain Quantity of Rum imported from *Barbadoes* and found the same justly Stated

*Ordered.*

That M<sup>r</sup> *Archibald Blair* do pay the ballance of the said Accounts being One hundred ninety three pounds Seven Shillings and six pence half penny to *John Holloway* Esq<sup>r</sup> Treasurer of *Virginia*

A Bill for Laying a Duty on Liquors was read the Second time and Committed *Ordered.*

That A Bill be brought in to Exempt the Masters Scholars and Servants residing in the College of *William and Mary* from the payment of Levies that the Committee for Propositions and Grievances do prepare and bring in the same

And then the house adjourned till to morrow twelve A Clock

*Thursday May 19<sup>th</sup> 1726*

M<sup>r</sup> *Randolph* reported from the Committee to whom the bill for laying a Duty on Liquors was committed Several Amendments made to the bill And the said Amendments being Severally read were agreed to by the house.

*Ordered.*

That the bill with the Amendments be ingrossed

Several Accounts of *Peter Beverley* Esq<sup>r</sup> late Treasurer of the Duties upon Liquors and Slaves.

Also An Account of the public money now in the hands of *John Holloway* Esq<sup>r</sup> Treasurer were Laid before the house

*Ordered.*

That the said Accounts be referd to the Consideration of A Committee and that they do Examine the same and report their Opinion thereon to the house and a Committee was appointed accordingly

M<sup>r</sup> *Crafford* informing the house that he had not Received his full Wages for attending the General Assembly in the year 1722 by reason of a mistake in the Governors Warrant

*Ordered.*

That the Committee to whom the several Accounts of the late and present Treasurer are referd do Examine the said Warrant and report their Opinion thereon to the house

A Bill for the more Effectual preventing the bringing tobacco from *North Carolina* was read the first time and ordered to be read A Second time

A Bill to prevent the setting of hedges into Rivers and Creeks and the falling of Trees therein was read the first time and ordered to be read a Second time

A Bill for reviving and continuing two Acts of Assembly therein mentioned was read the Second time and ordered to be ingrossed.

Then the house adjourned till to morrow morning Eleven a Clock.

*Friday*

*ffryday May 20<sup>th</sup> 1726*

**M**R. *Cole* reports that the persons appointed had according to Order Examined the accounts of *Peter Beverley Esq<sup>r</sup>*. late Treafurer and of *John Holloway Esq<sup>r</sup>*. present Treafurer and found the same justly stated and that the public money in the hands of the present Treafurer amounts to Four Thousand five hundred fifty Six pounds and four pence halfpenny

That upon Examination of the Accounts of the said present Treafurer the said Committee take notice that the Collector of the Duties upon Liquors and Slaves for the Lower District of *James River* had not made Oath to his Accounts and that he is indebted for the said Duties A Certain Sum computed to amount to two hundred and thirty pounds or thereabouts for which an Action is commenced against him and his Securities.

And that upon Examination of M<sup>r</sup>. *Craftords* Claim they find there remains due to him One pound Eighteen Shillings for his Wages for attending the Affembly in the year 1722

*Ordered.*

That the Sum of One pound Eighteen Shillings be paid to M<sup>r</sup>. *Will<sup>m</sup> Craftord* out of the public money in the hands of *John Holloway Esq<sup>r</sup>*. Treafurer so much being still due to him for his Wages for attending the General Affembly as a Burgefs in the year 1722

*Ordered.*

That the Committee who Examined the accounts of *Peter Beverley Esq<sup>r</sup>*. late Treafurer and *John Holloway Esq<sup>r</sup>*. Present Treafurer do carry the said Accounts to the Council to the End the same may be passed by them

A Bill intituled *an Act for Laying a Duty on Liquors* was read the third time  
*Resolved.*

That the bill do pass

A Bill intituled *an Act for reviving and continuing two Acts of Affembly therein mentioned* was read the third time

*Resolved.*

That the bill do pass

*Ordered*

That the Committee who prepared the said bills do carry the same to the Council for their Concurrence

A Bill for the more Effectual preventing the bringing Tobacco from *North Carolina* was read the second time and ordered to be ingrossed

A Bill to prevent the Setting of hedges into Rivers and Creeks and the falling of Trees therein was read the Second time and ordered to be ingrossed.

A Bill for Erecting A Chappel of Ease in the County of *Westmorland* was read the first time and ordered to be read a Second time

A Bill for Exempting the President Masters and others residing in the College of *William* and *Mary* from Payment of Levies was read the first time and ordered to be read A Second time

M<sup>r</sup>. *Randolph* reported from the Committee of propositions and Grievances that the said Committee had had under their Consideration several Propositions and Agreed upon A Report which he read in his place and delivered in at the table

And upon Consideration thereof

*Ordered.*

That A bill be brought in for adding that part of the County of *Effex* which Lies below *Piscattaway* Creek to the County of *Middlesex* and That M<sup>r</sup>. *Kemp* M<sup>r</sup>. *Thacker* M<sup>r</sup>. *Jones* and M<sup>r</sup>. *Dangerfield* do prepare and bring in the same

*Ordered.*

That A bill be brought in to divide the County of *Stafford* into two Counties and to make *Acquia* Creek the bounds between the said Counties and that M<sup>r</sup>. *Robinson* and M<sup>r</sup>. *Majon* do prepare and bring in the same—

*Ordered*

*Ordered.*

That A bill be brought in to appoint *John Holloway* Esq<sup>r</sup>. Speaker of this house Treafurer of the Duties upon Liquors and that the Committee for propositions do prepare and bring in the same.

And then the house adjourned till to morrow morning Eleven a Clock

*Saturday May 21<sup>th</sup> 1726*

**A** PETITION of *Henry Cary* setting forth that he was Employed by the Supervisors of the Capitol to make new Posts and Gates for the Capitol yard which are ready to beset up and hath by their direction made several other repairs about the building That the fund out of which the Expence of the Repairs of the said building hath usually been paid is Exhausted and that there are several repairs still necessary to be done and praying that he may be paid for his Services was presented to the house and read

*Resolved.*

That the Charges of all repairs of the Capitol which have been made or shall be necessary to be made between this and the next Session of Assembly be paid out of the public money in the hands of *John Holloway* Esq<sup>r</sup>. Treafurer and that the Governor be desired to issue his Warrant upon the Treafurer for the payment thereof and that the Accounts of Such Repairs be laid before the General Assembly at the next Session

*Ordered.*

That M<sup>r</sup>. *Speaker* and M<sup>r</sup>. *Blair* be appointed to survey the Capitol and to order such repairs to be done in and about the same as to them from time to time shall seem necessary

*Ordered.*

That no pine Timber or plank be hereafter made use of for Repairing the said building Except so much as shall be necessary for repairing the floors

A Bill intituled *an Act to prevent the Setting of Hedges in to Rivers and Creeks and the falling of trees therein* was read the third time

*Resolved.*

That the bill do pass

A Bill intituled *an Act for the more Effectual preventing the bringing Tobacco from North Carolina* was read the third time

*Resolved.*

That the bill do pass

*Ordered.*

That the Committee who prepared the said bills do carry the same to the Council for their Concurrence

M<sup>r</sup>. *Kemp* according to Order presented to the house A bill for adding part of the County of *Effex* unto the County of *Middlefex* and the same was read the first time and ordered to be read a Second time

A Bill for Exempting the President Masters and others residing in the College of *William and Mary* from payment of Levies was read the second time and an Amendment was made to the said bill

*Ordered.*

That the bill with the amendment be Ingrossed

A Bill for Erecting A Chappel of Ease in the County of *Westmorland* was read the Second time and Committed.

*Ordered.*

That the Sum of thirteen Shillings and Six pence out of the public money in the hands of *John Holloway* Esq<sup>r</sup>. Treafurer be paid to M<sup>r</sup>. *Edwin Conway* and that the Like Sum be paid to M<sup>r</sup>. *William Ball* out of the said money so much of their Wages for attending the General Assembly at the Last Session remaining unpaid

Then the house adjourned till *monday* morning Eleven A Clock.

*Monday*

*Monday May 23<sup>th</sup> 1726*

**A** BILL for adding part of the County of *Effex* unto the County of *Middlesex* was read the second time and committed to the Committee of Propositions and Grievances.

*M<sup>r</sup> Randolph* reported from the Committee of Propositions and Grievances That the said Committee had had under their Consideration Several Propositions and Grievances and had agreed upon A Report which he read in his place and delivered in at the table Where the same was again read

And upon Consideration thereof

*Ordered.*

That A bill be brought in to prevent Hogs running at large within the Limits of the Town of *Gloucester* and that *M<sup>r</sup> Willis* and *M<sup>r</sup> Cook* do prepare and bring in the same

*Ordered.*

That a bill be brought in to impowere the Justices of the County of *Spotsylvania* to Erect a new Court house at any place within the said County which they shall think most convenient and that the Committee of Propositions and Grievances do prepare and bring in the same

*Ordered.*

That a bill be brought in to Establish a ferry over *Rappahannock* River from *M<sup>rs</sup> Jael Johnsons* in *Spotsylvania* County to *Thomas Harwoods* in *King George* County and that the Committee of Propositions and Grievances do prepare and bring in the same

*Resolved.*

That the propositions made to this Assembly by the Inhabitants of the said County of *Spotsylvania* for laying out a Town on the Lands of *Thomas Buckner* and *John Roylton* and also for laying out fifty acres of Land on the Mouth of *Majaponax* Creek to the End one other Town may be built in the said County be referd to the Consideration of the next Session of Assembly

A Bill intituled *an Act for Exempting the President Masters and Others residing in the College of William and Mary from payment of Levies* was read the third time

*Resolved.*

That the bill do pass

*Ordered.*

That the Committee who prepared the said bill do carry the same to the Council for their Concurrence

A bill appointing a Treasurer was read the first time and ordered to be read a Second time

The said bill was read the second time and several amendments were made therein at the Table

*Ordered.*

That the bill with the Amendments be ingrossed

Then the house adjourned till to morrow Morning Eleven A Clock.

*Tuesday May the 24<sup>th</sup> 1726*

**A** MESSAGE was delivered from the Council that they have made some Amendments to the bill intituled *an Act for the more Effectual preventing the bringing Tobacco from North Carolina* Also to the bill intituled *an Act to prevent the jetting of Hedges into Rivers and Creeks and the falling of Trees therein* to which They desire the Concurrence of this house.

And that they have passed the bill intituled *an Act for reviving and continuing two Acts of Assembly therein mentioned.*

The house proceeded to take into Consideration the Amendments aforesaid and the same were severally read and Agreed to by the house.

*Ordered*



*Ordered.*

That A meffage be fent to the Council that this houle hath agreed to the amendments by them made to the faid feveral bills and that the Committee of Propofitions and Grievances do go up with the Meffage.

A Petition of *Sarah Rojs* and *Stith Bolling* Setting forth that they being the Keepers of A fferry fettled by Law over *James River* at *James Town* and *Swanspoint* are bound to tranfport men and horfes at a Lower rate than the Service deferves and praying that they may be allowed to take a higher price for the fame was prefented to the houle and read.

*Refolved.*

That the faid petition be rejected

A Petition of Sundry Inhabitants of a Large Tract of Land above the falls of *James River* in behalf of themselves and their Neighbours complaining of many hardships and inconveniences which they fustain by reason of the great Length of the County of *Henrico* to which they belong and their remoteness from the place where the Court of the faid County is now held and praying that they may be made A Difinct County and that the like Encouragements may be given to the Inhabitants of fuch new County as were heretofore given to the Inhabitants of the Counties of *Spotfylvania* and *Brunswick*, was prefented to the houle and Read

*Refolved*

That the faid petition is not certified as all Grievances by Law ought to be and that for that reason the fame be rejected.

*Ordered.*

That it be an Inftruction to the Committee appointed to prepare A bill for fettling a new fferry over *Rappahanock River* to prepare one or more Claufes to be added to the faid bill for Settling another fferry over the faid River from the plantation of *John Taliaferro* of the *Mount* in the County of *Effex* in the Occupation of *Anthony Seal* to the plantation of *John Lomax* in the County of *King George* in the occupation of *Anthony Seal* the younger And alfo for Settling A fferry at *Archers Point* in the County of *Henrico* Over the river *Appamatuck* to the County of *Prince George*.

Mr: *Randolph* reported from the Committee of Propofitions and Grievances that the faid Committee had had under their Confideration feveral Grievances and agreed upon A Report which he read in his place and delivered in at the table where the fame was again read.

And upon Confideration thereof.

*Ordered.*

That it be an Inftruction to the Committee appointed to prepare the faid bill for fettling a new fferry over *Rappahanock River* to prepare a Clause to be added to the bill for fettling a fferry at the Landing of *William Pulliam* in the County of *Hanover* over the River *Northanna* to the Land of *John Holliday* in the County of *King William*

*Ordered.*

That A bill be brought in for making that part of the parifh of *S<sup>t</sup>. Paul* in the County of *Hanover* Which lieth in the neck between the North and South branches of *Pamunkey River* and alfo that part of the parifh which lieth above *Stonehorfe Creek* A Difinct Parifh and that the Committee of Propofitions and Grievances do prepare and bring in the fame.

And then the houle adjorned till to morrow morning Eleven a clock

*Wednesday May 25<sup>th</sup> 1726*

A PETITION of fundry perfons freeholders and Inhabitants of the parifh of *S<sup>t</sup>. George* in the County of *spotfylvania* whose names are thereunto fubfcribed setting forth that the Afting Veftry of the faid parifh were not duly Elected and that feveral Members of the Veftry do not refide in the parifh and praying that the faid Veftry may be diffolved and a new Veftry chofen was referd by the Council to the Confideration of this houle, and was read

*Refolved*

*Resolved.*

That the same be rejected

A Bill to repeal the Act intituled *an Act directing the manner of levying Executions and for relief of poor prisoners for debt* and one other Act to Explain the said Act and to declare the Law concerning Executions and for relief of poor prisoners for debt was read the first time and Ordered to be read a Second time

A Bill for Settling new feries over *Rappahannock Northanna and Appamattuck Rivers* was read the first time and ordered to be read A Second time

Mr *Randolph* reported from the Committee to whom the bill for adding part of the County of *Effex* unto the County of *Middlefex* was committed several Amendments made to the bill which he delivered in at the Table where the same were severally read and agreed to by the house.

*Ordered.*

That the bill with the amendments be ingrossed.

Mr *Willis* according to order presented to the house a bill to prevent Swine running at Large within the Limits of the Town of *Gloucester* and the same was read the first time and ordered to be read a Second time

Mr *Escrige* to whom the bill for Erecting a Chappel of Ease in the County of *Westmorland* was Committed reported several amendments made to the bill which he delivered in at the table where the same were Severally read and agreed to by the house

*Ordered*

That the bill with the amendments be ingrossed

A Message was brought from the Council that they had made some Amendments to the bill intituled *an Act for Exempting the President Masters and Others residing in the College of William and Mary from payment of Levies* to which they desire the Concurrence of this house

A Bill for dividing the parish of St. *Paul* in *Hanover* County was read the first time and ordered to be read a Second time

Then the house adjourned till to morrow morning Eleven a Clock

### *Thursday May 26<sup>th</sup> 1726*

A MESSAGE was brought from the Council that they had agreed to the bill intituled *an Act for Laying A Duty on Liquors*

A Petition of *Charles Kymball* praying that he may be paid his usual Allowances for Serving as interpreter to the *Sapony* Indians for three years Ending the 17<sup>th</sup> Day of this instant was presented to the house and read

*Ordered.*

That the said petition be referd to the Consideration of the Committee of public Claims and that they do Examine the matter thereof and report their Opinion thereon to the house

A Bill intituled *an Act appointing a Treasurer* was read the third time

*Resolved.*

That the bill do pass

*Ordered.*

That the Committee who prepared the said bill do carry the same to the Council for their Concurrence

A Bill intituled *an Act for adding part of the County of Effex unto the County of Middlefex* was read the third time

And after a Debate the Question was put

That the said bill do pass

It passed in the Negative

*Resolved.*

That the bill be rejected

A Bill intituled *an Act for Erecting a Chappel of Ease in the County of Westmorland* was read the third time

*Resolved.*

That the 1<sup>d</sup> bill do pass

*Ordered*

That the Committee of Propositions and Grievances do carry the same to the Council for their Concurrence

The House proceeded to the Consideration of the Amendments made by the Council to the bill intituled *an Act for Exempting the President Masters and others residing in the College of William and Mary from payment of Levies* and the same were severally read.

*Resolved.*

*Nemine Contradicente*

That this house doth not agree to the said Amendments

*Ordered.*

That a Message be sent to the Council that this house doth not Agree to the amendments by them made to the said bill and That the Committee of Propositions and Grievances do go up with the message.

A Bill to repeal the act intituled *an Act directing the manner of Levying Executions and for relief of poor prisoners for debt* and one other Act to Explain the said act and to declare the Law concerning Executions and for relief of poor prisoners for debt were [was] read the Second time

And after a Debate the Question was put.

That the bill be committed

It passed in the negative

And several Amendments were made to the bill at the table

*Ordered.*

That the bill with the amendments be ingrossed

A Bill for Erecting A Court house in *Spotsylvania* County was read the first time and ordered to be read a Second time

And then the house adjourned till to morrow Morning Eleven A Clock

*ffryday May 27. 1726*

A MESSAGE was brought from the Council that they have passed the bill intituled *an Act appointing a Treasurer*

A motion being made that Leave may be given to bring in a bill to forbid the Justices of the County of *Effex* for some time to build a new Court house in the said County which may be an Unnecessary burthen upon the County in case the same should be soon divided.

And after a Debate thereupon—

*Resolved*

That it is the Opinion of this house that the said Justices ought not to build A New Court house in the said County before the next Session of Assembly

A Petition of *John Carter* Esq<sup>r</sup> Secretary of this Colony setting forth that Certain parcels of Land lying in the Counties of *James City* and *Northampton* were upon the first Settlement of the Country laid out and appropriated for the use of such person or persons who should from time to time Enjoy the Office of Secretary of the said Colony but that by the Strict Rules of Law the same cannot pass in Succession of which divers persons have taken advantage to the Prejudice of the Petitioners Right and praying that Leave may be given to bring in A bill to Enable him and the Secretary for the time being to hold the said Land during their Continuance in that Office and to make Leases of the same for twenty one years or three Lives and to commence and Prosecute any Action which shall be necessary to maintain his Right—was presented to the house and read

*Ordered*

*Ordered.*

That Leave be Given to bring in A bill according to the Prayer of the said Petition A Petition of *Elizabeth Cocke* of the County of *Henrico* Widow and *James Cocke* her Eldest Son and Heir apparent setting forth that the said *Elizabeth* being lately seized in feetail of one hundred Acres of Land lying in the County of *Henrico* called *Curles* which was of little Value to her She hath lately sold the same to M<sup>r</sup>. *Richard Randolph* with the privity and Consent of the said *James* and that they are desirous to Secure the said Land to the Said *Richard* and to settle two other parcels of Land and two Negro Slaves of Greater Value to the same uses and praying That Leave may be given to bring in a bill to Confirm the Right of the said *Richard* to the said intailed lands and to Settle the said Other Lands and Negros to the same uses was presented to the house and read.

*Ordered.*

That the said Petition be referd to the Consideration of M<sup>r</sup>. *Conway* M<sup>r</sup>. *Kemp* and M<sup>r</sup>. *Poythres* and that they do Examine the Allegations thereof and if they find the same to be true that they do prepare and bring in A bill according to the prayer of the Petition

A Message from the Governor was delivered by M<sup>r</sup>. *Robertson* Clerk of the Council  
M<sup>r</sup>. *Speaker*.

The Governor commands the immediate attendance of this house in the Council Chamber and that you bring with you the bill for Laying a duty upon Liquors and the bill appointing a Treasurer to the End the same may receive his assent.

And the house went up accordingly and being returned M<sup>r</sup>. *Speaker* reported that the house had attended the Governor who was pleased to give his Assent to the bill intituled *an Act for laying A Duty upon Liquors* and to the bill intituled *an Act appointing a Treasurer* and that the Governor was afterwards pleased to say that he hoped the Council and this house would Give such dispatch to the business of this Session that the same may be brought to A Speedy Conclusion.

*Ordered.*

That the Wages of the Burgesses attending this Session of Assembly and all the Charges of this Session be paid out of the public money in the hands of *John Holloway* Esq<sup>r</sup>. Treasurer after the rate of ten Shillings A hundred for Tobacco

A Bill for dividing *Stafford* County was read the first time and a Debate arising thereupon.

The Question was put that the bill be rejected  
*Resolved.*

In the Affirmative

A Bill to prevent Swine running at large within the Limits of the Town of *Gloucester* was read the Second time and Ordered to be ingrossed

A Bill for dividing the parish of *S<sup>t</sup>. Paul* in *Hanover* County was read the second time and two blanks in the said bill were filled up.

*Ordered*

That the said bill be ingrossed.

A Bill for Erecting a Court house in *Spotsylvania* County was read the Second time and committed

A Bill for Settling new ferries over *Rappahanock Northanna* and *Appamatuck* Rivers was read the second time

And Several Amendments were made to the bill at the Table

*Ordered*

That the bill with the Amendments be ingrossed

*Ordered*

That M<sup>r</sup>. *John Bolling* have leave to be absent from the Service of the house till *Thursday* next

And then the house adjourn'd till to morrow morning Eleven a Clock

*Saturday*

*Saturday May 28<sup>th</sup> 1726*

A BILL intituled *an Act to repeal the Act intituled an Act directing the manner of Levying Executions and for relief of Poor Prisoners for debt And one other Act to Explain the said Act and to declare the Law concerning Executions and for relief of poor Prisoners for debt* Was read the third time

*Resolved.*

That the bill do pass

A Bill intituled *An Act for settling new ferries over Rappahanock Northanna and Appamatuck Rivers* was read the third time

*Resolved.*

That the bill do pass

A Bill intituled *an Act for dividing the parish of St. Paul in Hanover County* was read the third time

*Resolved.*

That the bill do pass

A Bill intituled *a Act to prevent Swine running at Large within the Limits of the Town of Gloucester* was read the third time

*Resolved.*

That the bill do pass

*Ordered.*

That the Committee of Propositions and Grievances do carry the said bills to the Council for their Concurrence

*Ordered.*

That Mr. Cole have leave to be absent from the Service of the house till *Thursday* next

A Petition of *James Shields* Keeper of the public Goal praying that his Claim for keeping the said Goal may be paid to him in money instead of Tobacco was presented to the house and read

*Ordered.*

That the said petition do lie on the Table and that the same be considered with the book of Claims

*Ordered.*

That Mr. Lee be added to the Committee of propositions and Grievances

Mr. Randolph reported from the Committee to whom the bill for Erecting a Court house in *Spotsylvania* County was Committed Several Amendments made to the bill which he read in his Place and delivered in at the table, where the same were again severally read and agreed to by the house

*Ordered.*

That the bill with the amendments be ingrossed

Mr. Randolph reported from the Committee of Elections and Privileges that they had had under their Consideration the return of the Writ made out this Session for Electing A Burgesses to serve in this present Session of Assembly for the County of *Northampton*. Also of the Writ for Electing A Burgesses for the County of *Eliz. City*. Also of the Writ for Electing a Burgesses for the County of *Accomack* And of the Writ for Electing a Burgesses for the County of *Westmorland* and that they found the same to be duly made.

Then the house Adjourned till *Monday* morning Eleven a Clock.

*Monday May 30<sup>th</sup> 1726*

A MESSAGE was brought from the Council that they have passed a bill intituled *an Act for remedying divers inconveniences arising by the unseasonable shipping of Tobacco* to which they desire the Concurrence of this house and the said bill was read the first time and ordered to be read a Second time.

Mr. Conway reported that the persons appointed had according to order Examined the Alligations of the Petition of *Elizabeth Cocke* and *James Cocke* and found the same

to be true and had prepared A bill according to the prayer of the said petition and he presented to the house A bill to confirm the title of *Richard Randolph* to certain intailed Lands and to settle other Lands to the same Uses and the same was read the first time and ordered to be read A Second time

M<sup>r</sup>. *Randolph* according to the Leave of the house presented a bill to make the Secretary of the Colony of *Virginia* for the time being A person capable in Law to take and hold certain Lands therein mentioned and to make Leafes thereof and the said bill was read the first time and ordered to be read a Second time.

A Bill intituled *an Act for Erecting A Court house in Spotsylvania County* was read the third time

*Resolved.*

That the Bill do pass

*Ordered*

That the Committee of Propositions and Grievances do carry the bill to the Council for their Concurrence.

The bill to confirm the title of *Richard Randolph* to certain intail'd Lands and to settle other Lands to the same uses was read the Second time

And an Amendment to the title of the bill was made at the table.

*Ordered.*

That the bill with the Amendment be ingrossed

Then the house adjourn'd till to morrow morning Eleven A Clock

*Tuesday May 31<sup>th</sup> 1726*

**A**N ingrossed bill from the Council intituled *an Act for remedying divers inconveniencies Arising by the unreasonable Shipping of Tobacco* was read the Second time

And the Question was put that the bill be committed

And it passed in the Negative

Then the Question was put that the bill be read a third time

It passed in the Negative

A Bill intituled *an Act to confirm the title of Richard Randolph to certain intailed Lands and to settle other Lands of Greater Value and two Negro Slaves to the same uses* was read the third time and an Amendm<sup>t</sup> was made therein at the table.

*Resolved.*

*Nemine Contradicente*

That the bill as amended do pass

*Ordered*

That the Committee who prepared the said bill do carry the same to the Council for their Concurrence

A Bill to make the Secretary of the Colony of *Virginia* for the time being A person Capable in Law to take and hold certain Lands therein mentioned and to make Leafes thereof was read the second time and Comitted

M<sup>r</sup> *W<sup>m</sup>. Ball* reported from the Committee of public Claims that the said Committee had had under their Consideration all the Claims which had been duly certified to this Session of Assembly and had made several Allowances thereupon which they had Entered in a book and he delivered the same in at the table

And part of the said Book was read

*Ordered*

That the further Consideration thereof be adjourn'd till to morrow

*Ordered.*

That M<sup>r</sup> *William Thornton* have leave to go home upon Extraordinary Occasions.

Then the house adjourned till to morrow morning Eleven a Clock

*Wednesday*

*Wednesday June 1<sup>o</sup> 1726*

**A**PETITION of *John Francis* praying that he may have an Allowance for his Services in putting the papers and Records of the General Assembly in order and making Exact Lifts thereof which he was Imploied to do by the Clerk of this House was presented to the house and read

*Ordered.*

That the Sum of Twenty Pounds out of the public money in the hands of *John Holloway Esq<sup>r</sup>* Treafurer be paid to *John Francis* for his Service in putting the Papers and Records of the General Assembly in Order and making Exact Lifts thereof

*Mr Randolph* to whom the bill to make the Secretary of the Colony of *Virginia* for the time being a person capable in Law to take and hold certain Lands therein mentioned and to make Leases thereof was committed reported Several Amendments made to the bill which he read in his Place & delivered in at the table where the same were again Severally read and Agreed to

*Ordered*

That the bill with the Amendments be ingroffed

The House according to Order proceeded to the further Consideration of the book of Claims and the same was read through and agreed to by the house with some Amendments.

A Message was brought from the Council that they have passed a bill intituled *an Act for amending the Act concerning Servants and Slaves and for the further Preventing the Clandestine Transportation of persons out of this Colony* to which they desire the Concurrence of this house And that they have passed the bill intituled *an Act for Settling New ferries over Rappahanock Northanna and Appamatuck Rivers*. Also the bill intituled *and Act for dividing the Parish of St Paul in Hanover County*, Also the bill intituled *an Act to prevent swine runing at Large within the Limits of the Town of Gloucester*

*Ordered.*

That the respective Sums hereafter mentioned be paid to the Officers of the General Assembly respectively out of the public money in the hands of *John Holloway Esq<sup>r</sup>* Treafurer *Viz<sup>t</sup>*

To *Mr Randolph* Clerk of the house of Burgeffes for a Copy of the Journal of this Session delivered to *Mr Speaker*. Fifty Shillings

To the said *John Randolph* for his service in the said Office during the Session One hundred Pounds

To *Mr Will<sup>m</sup> Robertson* Clerk of the General Assembly for his Service this Session fifty pounds

To *Mr Godfrey Pole* Clerk of the Committee of propositions and Grievances for this Service this Session forty pounds

To *Mr Miles Cary* Clerk of the Committee of public Claims for his Service this Session forty pounds.

To *Mr Philip finch* Serjeant at Arms and Macebearer attending this house for his Service this Session forty pounds

To *Mr Le Neve* Chaplain to the house for his attendance this Session twenty pounds

To *Mr Richard Hickman* for the Door keeper of the Council Ten pounds

To	James Haffel Nicholas Wager Robert Dyer & William Francis	}	Door keepers attending this House Seven Pounds ten Shillings Each.
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*Ordered.*

That the said Allowances be added to the book of Claims and that the Committee of Public Claims do carry the said book to the Council and desire them to pass the same.

*Mr Randolph* reports from the Committee appointed to draw up an Address to his Majesty an Address agreed upon by the Committee which he read in his Place and afterwards delivered in at the table where the same was twice read and Agreed to

*Ordered*

*Ordered.*

That the Address be written over fair and a blank left for the Council and that the Committee who prepared the said Address do carry the same to the Council for their Concurrence

The ingrossed bill from the Council intituled *an Act amending the act Concerning Servants and Slaves and Slaves and for the further Preventing the Clandestine Transportation of persons out of this Colony* was read the first time and ordered to be read a Second time

Then the House adjourn'd till to morrow morning Eleven A Clock

*Thursday June 2<sup>d</sup> 1726*

A MESSAGE was brought from the Council that they have made divers amendments to the bill intituled *an Act to repeal the Act intituled an Act directing the manner of Levying Executions and for relief of poor prisoners for debt And one other Act to Explain the said Act and declare the Law concerning Executions and for Relief of poor prisoners for debt* to which they desire the Concurrence of this house.

A bill intituled *an Act to make the Secretary of the Colony of Virginia for the time being a person Capable in Law to take and hold certain Lands therein mentioned and to make Leases thereof* was read the third time

*Resolved.*

That the bill do pass

*Ordered.*

That the Committee of Propositions and Grievances do carry the said bill to the Council for their Concurrence

A petition of sundry Persons whose names are thereunto subscribed in behalf of themselves and the greater part of the freeholders and Inhabitants of *Elizabeth City Parish* complaining of Great hardships they have for many years labored under by reason of certain persons Assuming to themselves without lawful Authority and Exercising in an unjust manner the power of Vestry men of the said Parish and praying that the said Vestry may be dissolved and the Inhabitants admitted to make Choice of another Vestry And that A new Church which they are about to build may not be built in the Place where they intend to build the same it being remote from the Greater Number of the said Inhabitants was referd from the Governor and Council to this house and Was read.

*Ordered.*

That the said petition be referd to the Consideration of the next Session of Assembly.

*Resolved.*

That it is the opinion of this house that in the mean time the present Vestry of the said Parish ought not to procede in the building a new Church in the said Parish but may repair the Old Church.

A Petition of *Henry Scarburgh* and *Edmund Scarburgh* in behalf of themselves and the Inhabitants of the Parish of *Accomack* complaining of the unjust and Arbitrary Proceedings of the present Vestry of the said Parish and that they refuse to repair the Mother Church with intent to induce A necessity of building a new Church and praying that the said Vestry may be dissolved was referd from the Governor and Council and was read.

*Resolved.*

That the said petition be rejected. A Complaint from sundry Inhabitants of the said Parish against the said Vestry being already referd by this house to the Consideration of the next Session of Assembly.

*Resolved.*

That it is the Opinion of this house that the Vestry of the said parish Ought to make all necessary repairs to the Mother Church.

The



The house proceeded to the Consideration of the Amendments made by the Council to the bill intituled *an Act to repeal the Act intituled an Act directing the manner of Levying Executions and for relief of poor Prisoners for debt and one other Act to Explain the said Act and to declare the Law concerning Executions and for relief of poor Prisoners for debt,* and the same were Severally read

And the first Second third fourth and fifth Amendments were agreed to and the Sixth Amendment was Agreed to with several Amendments and the Last Amendment was disagreed to. But the house agreed to strike out the Clause to which the said Amendment was made

*Ordered*

That a Message be sent to the Council to acquaint them that this house hath Agreed to One of the said amendments with several Amendments and hath agreed to all the other Amendments Except the Last to which they disagreed But do agree to strike out the Clause to which that Amendment is proposed. And that the Committee of propositions do go up with the Message

A Message was brought from th[e] Council that they had Agreed to the Address to his Majesty and had filled up the blank left for them and that the same was signed by one of their Number

Which Address is as follows

*To the Kings most Excellent Majesty*

*The humble Address of the Council and Burgeesses of Virginia.*

*Most Gracious Sovereign*

After so much rejoicing among those of your Majesties Subjects whose happiness it is to be near your Roial Prefence for your signal deliverance from the Great perils to which you have lately been Exposed in your Return to your Kingdom of *Great Britain* Your Majesties most dutiful and Loial Subjects The Council and Burgeesses of your Majesties Colony and Dominion of *Virga* who are Equally interested in your Majesties Safety cannot be silent But do unfeignedly congratulate your Majesties safe Arrival and Assure your Majesty that your wonderful Escape from the Dangers of the Deep was A matter of the greatest Joy imaginable throughout this Dominion.

And being now convened by your Majesties Authority in A General Assembly We presume to acquaint Your Majesty That taking notice of the present distressed State of the College of *William and Mary*. founded in this Country by your Majesties Roial Predecessors King *William* and Queen *Mary* of Glorious memory And of many Accidents and Misfortunes Which have concurred to delay the progress thereof And knowing of how great moment the promoting this Charitable and pious design is to us and Our posterity We have agreed to Lay a Duty on Liquors imported (Except from *great Britain*) and to Appropriate two hundred pounds ꝥ annum towards the Support of this College And we are Emboldened from your Majesties Readiness upon all Occasions to Succour the foundations of Learning and Religion to hope that What we have done will not only be acceptable to your Majesty But that after the Example of their Late Majesties King *William* Queen *Mary* and Queen *Anne* of blessed memory you will be graciously pleased of your Roial bounty to Contribute your further Assistance towards perfecting this Good Work

It is not without Great Sorrow that we must further acquaint Your Majesty That your Lieut Governor *Hugh Drysdale*. Esquire by reason of an Indisposition which he hath long labored under hath determin'd unless he can be speedily relieved here to repair to *Great Britain* for recovery of his health and We beg leave humbly to Assure your Majesty That by his remarkable Affection to your Majesties person and your illustrious house his Great Zeal for your Service and his just and Mild Administration without any views of self interest he hath merited so much of us That we shall Esteem his speedy return to his Station a great happiness to your people here.

*Ordered*

That the said Address be signed by the Speaker of this house

A Message was brought from the Council that they have made some Amendments to the bill intituled *an Act for Erecting A Court house in Spotsylvania County* to which they desire the Concurrence of this house

And the said Amendments were severally read and agreed to

*Ordered*

That a Message be sent to the Council to Acquaint them that this house hath agreed to the said Amendments by them made to the said bill.

The ingrossed bill from the Council intituled *an Act for Amending the Act concerning Servants and Slaves and for the further preventing the Clandestine Transportation of persons out of this Colony* was read the second time and Ordered to be read a third time.

*Ordered.*

That the Sum of Seventy pounds out of the public money in the hands of *John Holloway Esq* be paid to *Mr John Randolph* Clerk of the house of Burgesses for twenty Eight Copies of the Laws of this Session of Assembly to be sent by him to the respective Counties of this Colony

Then the house adjourn'd till tomorrow morning Eleven A Clock

*ffryday June 3<sup>d</sup> 1726*

**O**RDERED

That *Mr Aylet* have leave to go home upon Extraordinary Occasions

*Ordered.*

That the Sum of twenty two pounds ten Shillings be paid out of the public money in the hands of *John Holloway Esq* Treasurer to *Mr John Randolph* Clerk of the house of Burgesses for four Copies of the Laws and four Copies of the Journall of this Session of Assembly to be by him made out to the Governor And one Copy of the Laws of this Session to be made out for the use of the General Court

*Ordered.*

That the Committee of Claims do carry up all the Orders of this house made during this Session of Assembly for issuing money out of the Treasury to the Council and desire their Concurrence thereto

A Petition of *Henry Irwin* setting forth that he had at very great Expence made A Good Causeway over *Sawyers Swamp* in the County of *Elizabeth City* and cleared a Road through the same forty foot wide which he undertook at the request of Sundry persons who subscribed divers sums of money towards Defraying the Expence thereof but many of the Subscribers being dead insolvent and removed out of the Country the Petitioner hath disbursed upon that Work more than he has received Eighty Pounds And praying that he may have the liberty to set up a Turnpike upon the said Road and take such rates of Travellers as shall be thought reasonable until he shall be fully rein[m]bursed all his Expences upon the said Work Which is of Univerfal benefit to the people of this Colony or that he may be otherwise relieved as this General Assembly shall think fit was refer'd from the Governor and Council and was read

*Resolved.*

That the said petition be rejected

An ingrossed bill from the Council intituled *an Act for amending the Act concerning Servants and Slaves and for the further preventing the clandestine transportation of persons out of this Colony* was read the third time.

*Resolved.*

That the bill do pass

*Ordered.*

That A message be sent to the Council to acquaint them that this house hath passed the said bill and that the Committee of Propositions and Grievances do go up with the message

A message was brought from the Council that they have agreed to the Amendments proposed by this house to one of the amendments by them made to the bill intituled *an Act to repeal the Act intituled an Act directing the manner of Levying Executions and for relief of Poor prisoners for debt and one Other Act to Explain the said act and to declare the Law concerning Executions and for relief of poor prisoners for debt* and that they recede from their amendment to which this house hath disagreed and agree to strike out the Clause to which that Amendment was made.

*Ordered*

That A Committee be appointed to proportion the public Levy of the following persons

M<sup>r</sup>. Randolph

M<sup>r</sup>. Lee

M<sup>r</sup>. John Thornton &

M<sup>r</sup>. Rob<sup>t</sup>. Bolling

M<sup>r</sup>. Kemp

*Ordered.*

That the said Committee do prepare and bring in a bill for raising a public Levy. Then the house adjourned till to morrow morning Eleven a Clock

*Saturday June 4<sup>th</sup> 1726*

**O**RDERED.

That M<sup>r</sup>. Lee have leave to go home upon Extraordinary Occasions

M<sup>r</sup>. Conway acquainted the house that he had had an Opportunity of being informed of the proceedings upon an Appeal to his Majesty from a Judgment of the General Court of Virg<sup>a</sup> in an Action lately depending there between the Executors of *Micajah Perry* and *Richard Perry* late of London Merchants deced P<sup>ts</sup> and the Ex<sup>rs</sup> of Col<sup>o</sup> W<sup>m</sup> Randolph late of this Colony deced Defendants which were likewise well known to most of the Members of this house And that it appeared to him that that Judgment and the verdict of a Jury which had passed between the Parties with all the Solemnities of the Law had been set aside upon the Report of some Merchants who were not under the obligation of an Oath to do justice and that A Judgment was Entered up here in Obedience to an Order made upon that Report without any new trial by a Jury Whereby he was Apprehensive that the Rights and Properties of all the people here were Affected to A Great degree and therefore moved that an humble Representation of the matter be made from this house to his Majesty To the End some Redress may be had and the Evil Consequences of such A precedent prevented and thereupon

*Resolved.*

*Nemine Contradicente.*

That an humble Representation of the true state of the said Case be made to his Majesty according to the said Motion

*Ordered.*

That M<sup>r</sup>. Conway M<sup>r</sup>. Blair M<sup>r</sup>. Escribde M<sup>r</sup>. Boush and M<sup>r</sup>. Kemp do draw up A Representation to his Majesty accordingly

A Message was brought from the Council that they have passed the bill intituled *an Act to make the Secretary of the Colony of Virginia for the time being a Person capable in Law to take and hold certain Lands therein mentioned and to make Leases thereof.*

And Also the bill intituled *an Act to Confirm the title of Richard Randolph to certain intailed Lands and to Settle other Lands of greater Value and two Negro slaves to the same uses.*

And that they had Agreed and obtained the Governors Assent to the book of Claims and All the orders of this house for the payment of money out of the public money in the hands of the Treasurer which had been sent up to them

Then the house adjourned till Monday morning Eleven A Clock

*Monday*

*Monday June the 6<sup>th</sup> 1726*

**M**R Conway reported that the persons appointed had according to Order drawn up a Representation to his Majesty concerning the proceedings upon an Appeal from A Judgment of the General Court given in an Action there lately depending between the Executors of *Micajah* and *Richard Perry* Merchants of *London* Pl<sup>ts</sup> and the Ex'ors of Col<sup>o</sup> *Will<sup>m</sup> Randolph* decd Defendants which he read in his place and afterwards delivered the same in at the table where it was again twice read and Agreed to

*Ordered.*

That the Committee who drew up the said Representation do carry the same up to the Council and desire their Concurrence therein.

M<sup>r</sup> *Randolph* reported that the persons appointed had according to Order proportioned the public Levy which amounts to Eleven pound of Tobacco  $\text{p}$  poll and that they had entered the several Proportions in A book as has been usual and he delivered the same in at the table where it was read and Agreed to.

A Bill for raising A public Levy was read the first time and Ordered to be read A Second time.

And the same was read a Second time and Ordered to be ingrossed

An ingrossed bill intituled *an Act for raising A public Levy* was read the third time

*Resolved.*

That the bill do pass.

*Ordered.*

That the Committee who prepared the said bill do carry the same with the book of

Proportions to the Council for their Concurrence

The house being informed that M<sup>r</sup> *Comissary Blair* intends shortly to repair to *Great Britain*

*Ordered.*

That M<sup>r</sup> *Conway* M<sup>r</sup> *Merriwether* and M<sup>r</sup> *John Bolling* do Acquaint him that this house is desirous that he should Solicit that part of the Address of the Council and this house to his Majesty which doth relate to the College of *William* and *Mary*.

Then the house adjourned till to morrow Morning Eleven A Clock

*Tuesday June 7<sup>th</sup> 1726*

**A** MESSAGE was delivered from the Council that they had Agreed and obtained the Governors Assent to the book of Proportions

That they had passed the bill intituled *an Act for raising a public Levy*.

And that they had Concurred in the representation to the Kings Majesty sent up by this house which was signed in their behalf by one of their Number Which Representation is as followeth.

*To the Kings most Excellent Majesty*

*The humble Representation of the Council and Burgeffes Of Virginia.*

*Most Gracious Soverain.*

Your Majesties most dutiful and Loial Subjects the Council and Burgeffes of this your Majesties antient Colony and Dominion of *Virginia* with all humility Prefume to inform Your Majesty that some years ago an Action upon the Case was commenced in the General Court of this Colony in the names of *Sarah Perry* Widow Executrix of the Last Will and testam<sup>t</sup> of *Richard Perry* Merchant deceased and of *Sarah Perry Micajah Perry* and *Philip Perry* Merchants of *London* Executors of *Micajah Perry* Merchant deceased against *Mary Randolph* widow *William Randolph* and *Thomas Randolph* Gentlemen Executors of the Last Will and Testament of *William Randolph* Gent deceased. Wherein the said Plaintiffs declare that the said *William Randolph* in his life time

being

being indebted unto the said *Richard Perry* and *Micajah Perry* in their life times the Sum of two thousand and four hundred Sixty five pounds One Shilling and Eight pence upon the ballance of an Account in Court produced in Consideration thereof Assumed to pay the same to which the Defendants *Mary* and *Thomas* appeared and pleaded severally with the leave of the Court that their Testator *William Randolph* did not Assume and that they had fully administered And the Defendant *William* pleaded that he was never Executor nor Ever Administred as Executor and the Court being informed that in the Accounts Exhibited by the Plaintiffs divers great Sums were Charged for insurance and for Interest and Interest upon interest on money which from time to time had become due from the said *William Randolph* in A Long intercourse of Trade and Dealings between him and the Pl<sup>ts</sup> Testators it was ordered by the Consent of the Plaintiffs and Defendants and conformable to the practice of the Court in like Cases that all the Accounts between the said Parties should be referd to the Examination of certain Persons nominated to the Court who were Ordered to report how much they should find charged in the said Accounts for Insurance and for Interest and interest upon interest in order to make the matters in dispute more clear and Perspicuous to the Jury who were to pas upon the trial of the Issue's and accordingly the persons to whom the Reference was made did report that upon Examination of all the Accounts in difference which began before the year 1687 it appeared to them that setting aside the several Sums charged for interest and interest upon interest the Plaintiffs had not only been satisfied of their Whole demand but that there was A ballance due to the Def<sup>ts</sup> after which report the Council for the Plaintiffs moving to bring on a trial of the issue joined upon the Plea of the Defendant *Mary* That her Testator did not Assume A trial was had accordingly by twelve good and Lawful men of this Colony who being Sworn and having heard all the Evidence that was offerd of Either side and the Arguments of the Council of both Parties found a verdict for the Defendant *Mary* and nothing being offerd on the part of the Plaintiffs to stay the Judgment of the Court nor any motion made for a new trial a Judgment was Entered up that the Plaintiffs should take nothing by their bill from which they appealed to your Majesty; And your Majesty having been pleased to refer their Petition of Appeal to the Right honorable the Lords of the Committee for hearing Appeals from the Plantations Their Lordships upon hearing the parties therein Concerned were pleased to refer the Accounts in Question to the Examination of four Merchants residing in *London* two of Whom reported their Opinion that the Several Items of Interest and insurance appeared to them throughout the Whole Accounts to be fair and just and Agreeable to what is alwaies charged and Allowed in Accounts of this nature by the Constant usage of Merchants trading to the Plantations and one other of the said Referees concurring with them their Lordships upon another hearing were pleased to report their Opinion that the Judgment given in the said General Court was Erronious and that the same Should be reversed and Judgment Entered up for the Appellants in the Sum of Two thousand four hundred Sixty pounds damages and that the said Sum should be recovered out of the Affets of the said *William Randolph* deceased and ten pounds Sterling Cofts out of the said Affets if the Respondents have Goods of the Testator to that Value and if they have not the Cofts to be recovered out of the proper Goods of the Respondents And their Excellencies the Lords Justices in Council the twentieth Day of *July* 1725 taking the said report into Consideration were pleased to approve thereof and to Order that Judgment should be Entered up accordingly in humble Obedience to Which the Judges of the said Court have Caused the said Judgment to be Entered up against the said *Mary Randolph William Randolph* and *Thomas Randolph* Now may it please your Majesty. We the Council and Burgeffes of the said Colony taking into Our Consideration the Several Circumstances of this Case and reflecting on the Consequences which A Precedent of this nature may have on the trade and properties of your Majesties good Subjects of this Colony do most humbly beg Leave to represent to your Majesty that no such Custom or Usage hath Ever hitherto prevailed or been allowed among the

Merchants

Merchants trading to this Colony whereby Interest or Interest upon Interest hath been or can be recovered upon Open running Accounts but that in actions at the Common Law no Plaintiff hath any other Allowance of Interest but such as a Jury shall think fit to Assess in Damages who by the Laws and Customs of *England* (to which Our proceedings here do as near as can be conform) are the only proper Judges thereof and after a Jury duly Elected tried and Sworn hath found the Verdict against the Plaintiff upon the point of Damages we humbly apprehend such Plaintiff is concluded by it and can have no Judgment to recover without A new trial and Verdict for him Moreover. We humbly beg leave to inform Your Majesty that the Judgment of your General Court here in the Case above represented being by your Majesties Authority reversed and in Consequence thereof the verdict of the said Jury set aside the matter of the Plea upon which that trial was had remains undetermined and there being several other Pleas upon which Issues were tendered in that Suit and not tried it doth appear by the Record in the <sup>rd</sup> Action that A Judgment is Entered against the Defendants without any trial Permit us further humbly to represent to your Majesty that altho in the Case aforesaid three Merchants in London have delivered their Opinion that the Demand of the Plaintiffs was just and reasonable yet no such Method of Examining the Judgments of your General Court given according to the rules of the Common Law hath ever hitherto been allowed or Established— But your Majesties Subjects in this Colony have alwaies without interruption had and Enjoied the benefits of A Legal Trial by Juries in all Actions commenced or prosecuted by and against them at the Common Law And We do with all humility represent to your Majesty that if in the like cases coming before your Majesty in your Privy Council by Appeal the Reports of Merchants who are under no Obligation of an Oath and are Ever inclined to favor one another be admitted to Overrule the Verdicts of Legal Juries Your Majesties Subjects here will be liable to whatever Charges and impositions their Factors and Correspondents in *Great Britain* think fit to load them with to the Great discouragement of their Trade and Industry

Wherefore We most Earnestly beseech your Majesty to Establish for the future such a Regular Course for Examining and reforming the Judgments given in Your Supreme Courts here that your Subjects of this Dominion may still Enjoy the benefit of Trial according to the Laws and Customs of *England* under which this Colony was happily planted and which they Account one of their most valuable Privileges All which is most humbly and unanimously submitted by us to your most sacred Majesty

*Robert Carter.*

*Ordered.*

That the said Representation be signed by the Speaker in behalf of this house

A motion was made that an Address might be made to the Gov<sup>t</sup> to desire him to transmit the Address of the Council and this house and the said Representation to the King

And A Writing drawn up in the form of an Address was presented with the Leave of the house & being twice read was agreed to.—

*Ordered.*

That the said Address be written over fair and sent up to the Council for their Concurrence and that the Committee of Propositions and Grievances do carry the same up

And the said Address was sent down by the Council to the house which is as followeth

*To the Honorable Hugh Drysdale Esq<sup>r</sup> his Majesties Lieut. Governor and Commander in Chief of the Colony and Dominion of Virginia*

*SIR,*

The Council and Burgeses having dispatcht all the important matters which have been under their Consideration during this Session of Assembly Do now present to  
your

your Honor for your Affent several bills which are the result of their Consultations and hope they are not only consistent with your instructions but well adapted to the present necessities of this Colony

We have also prepared an humble Address to the Kings Majesty together with A Representation concerning the proceedings upon an Appeal from A Judgment of the General Court given in an Action there lately depending between the Exors of *Micajah* and *Richard Perry* late of *London* Merchants deceased Plaintiffs and the Exors of Col<sup>d</sup> *William Randolph* deceased Defendants which we have been induced to make in regard We are apprehensive that there are several matters appearing upon the Record of that Case which may Produce many Consequences Extremely detrimental to the Rights and Properties of the people of this Colony And we do humbly desire your Honor to transmit this Address and Representation to his Majesty in the usual manner

And We do return your Honor our unfeigned thanks for your Concurrence in Every thing that hath been thought useful and beneficial to the people we Represent And do sincerely pray for the speedy recovery of your Health and that you may have all the Success you desire in your undertakings

*Ordered.*

That the said Address be presented by the Whole house When they attend the Governor with the bills which have passed this Session

A Message from the Governor by M<sup>r</sup> *Robertson* Clerk of the Council.

M<sup>r</sup> *Speaker.*

The Governor Commands the immediate attendance of this House in the Council Chamber and that you bring with you such bills as are ready for his Assent

And the house went up accordingly and the Governor was pleased to Give his Assent to the several public and private Bills following

*An Act for Laying a Duty on Liquors*

*An Act Appointing a Treasurer*

*An Act to repeal the Act intituled an Act directing the manner of levying Executions and for relief of Poor Prisoners for Debt and one other Act to Explain the said Act and to declare the Law Concerning Executions and for relief of poor prisoners for Debt.*

*An Act for Amending the Act concerning Servants and Slaves and for the further preventing the Clandestine Transportation of persons out of this Colony*

*An Act for reviving and Continuing two acts of Assembly therein mentioned*

*An Act for the more Effectual preventing the bringing Tobacco from North Carolina and the bounds in Controversy*

*An Act to prevent the setting of Hedges into Rivers and Creeks and the falling of Trees therein*

*An Act for settling New ferries over Rappahanock Northanna and Appamatuck Rivers*

*An Act for raising A public Levy*

*An Act to make the Secretary of the Colony of Virg<sup>a</sup> for the time being A person Capable in Law to take and hold certain Lands therein mentioned and to make leases thereof*

*An Act for Erecting A Courthouse in Spotsylvania County*

*An Act for dividing the parish of St Paul in Hanover County*

*An Act to prevent Swine running at Large within the Limits of the Town of Gloucester*  
*An Act to Confirm the title of Richard Randolph to certain intailed Lands and to Settle other Lands of greater Value and two Negro slaves to the same uses*

And then the Speaker read and presented the Address and Representation to his Majesty

To which the Governor was pleased to Answer that he should take the first Opportunity to transmit the same to be presented to his Majesty

And afterwards made the following Speech

*Gentlemen of the Council and house of Burgeesses.*

The Dispatch you have given to all the business brought before you this Session of Assembly has been very agreeable to me but the singular readiness and unanimity you

you Expressed to the motion I made concerning the College deserves a Return of my best thanks and acknowledgements which I now tender to you all on this Public Occasion You Could not hit on an Action that will better perpetuate your memories and for your present Satisfaction you'll have the applauses of all Countries that Honor religion or Learning.

The Season of the year and your own dispositions to return to your Respective homes makes it highly necessary to put an End to this Session of Assembly accordingly I prorogue you to *Thursday* the Seventeenth Day of *November* and this Session stands prorogued to that time.

*Hugh Drysdale.*



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